Prior notification of a concentration

(Case COMP/M.6766 — Migros/Tegut)

Candidate case for simplified procedure

(Text with EEA relevance)

(2012/C 367/05)

1. On 19 November 2012, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]) by which the undertaking Genossenschaft Migros Zürich (Switzerland) belonging to the Migros-group acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertakings Okay Handelsgesellschaft mbH & Co. — Tegut… Einzelhandelsunternehmen KG (Germany), Gutberlet GmbH (Germany), TGT GmbH & Co. Logistik KG (Germany) and TGT Verwaltungs- und Beteiligungs GmbH (Germany) (together 'Tegut retail') belonging to the Tegut…-group by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Genossenschaft Migros Zürich: food retail in Switzerland. Moreover, the Migros-group is active in production (Food and Near-Food), wholesale, retail (Food, Near-Food and Non-Food), gastronomy, media, tourism and financial services,

— for Tegut retail: food retail in Germany.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC Merger Regulation. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the EC Merger Regulation ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6766 — Migros/Tegut, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

([1]) OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').
([2]) OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').