



C/2024/1050

24.1.2024

Prior notification of a concentration
(Case M.11414 – SKION / BITBURGER / AVISTA OIL)
Candidate case for simplified procedure

(Text with EEA relevance)

(C/2024/1050)

1. On 15 January 2024, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- SKion GmbH ('SKion', Germany), controlled by Susanne Klatten,
- Bitburger Holding GmbH ('Bitburger Holding', Germany), indirectly controlled by Th. Simon GmbH & Co. KG
- AVISTA OIL AGA ('Avista Oil', Germany).

SKion and Bitburger Holding will acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of Avista Oil.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- SKion is the investment company of the German entrepreneur Susanne Klatten, which currently holds majority and non-controlling minority stakes in several companies active in various industrial sectors.
- Bitburger Holding is the parent company of a sub-group of the Bitburger group, which is mainly active in the production and distribution of beer. In addition, Bitburger Holding has stakes in companies active in business areas outside its core business of beer.
- Avista Oil is a company active in the disposal and processing of used oils and oily wastes, as well as the production of base oils and lubricants.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the 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 Council Regulation (EC) No 139/2004 ⁽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. The following reference should always be specified:

M.11414 – SKION / BITBURGER / AVISTA OIL

Observations can be sent to the Commission by email or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

⁽²⁾ OJ C 160, 5.5.2023, p. 1.

Postal address:

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