

Prior notification of a concentration**(Case COMP/M.3951 — Nomura/Kamps Food Retail Investments/Nordsee)****Candidate case for simplified procedure**

(2005/C 218/03)

(Text with EEA relevance)

1. On 29 August 2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004⁽¹⁾ by which Nomura International plc ('Nomura', UK) belonging to the Nomura Group (Japan), Mr Heiner Kamps ('Mr. Kamps') and TML-Invest S.à r.l. ('TML', Switzerland) belonging to the Müller Group (Germany), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Nordsee GmbH ('Nordsee', Germany) by way of purchase of shares. Mr. Kamps and TML will acquire control over Nordsee through the vehicle company Kamps Food Retail Investments S.A. (Luxembourg).

2. The business activities of the undertakings concerned are:

- for Nomura: international investment banking,
- for Mr. Kamps: private investor,
- for TML: holding company of the Müller Group, group mainly active in the fresh dairy products and fruit preparations sector,
- for Nordsee: operation of quick service restaurants, seafood retail outlets and seafood wholesale business.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. 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. Observations can be sent to the Commission by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.3951 — Nomura/Kamps Food Retail Investments/Nordsee, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.