

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION
POLICY

COMMISSION

Prior notification of a concentration

(Case COMP/M.4920 — Haniel/Schmidt-Ruthenbeck/Metro)

Candidate case for simplified procedure

(Text with EEA relevance)

(2008/C 235/08)

1. On 5 September 2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings Franz-Haniel & Cie GmbH ('Haniel', Germany) and Gesellschafterstamm Schmidt-Ruthenbeck ('Schmidt-Ruthenbeck', Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Metro AG ('Metro', Germany) by way of pooling of voting rights.

2. The business activities of the undertakings concerned are:

- for Haniel: wholesale of pharmaproducts and operation of pharmacies, trade with raw materials for the steel industry, textile and washroom hygiene services, business-to-business distance selling of office and warehouse equipment as well as production of construction materials, dry-mortarless construction systems and raw materials for the building industry,
- for Schmidt-Ruthenbeck: holiday hotels, image processing systems,
- for Metro: cash and carry markets, hypermarkets and supermarkets for daily consumer goods, retailers for consumer electronics and department stores.

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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4920 — Haniel/Schmidt-Ruthenbeck/Metro, to the following address:

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

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.