

## V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION  
POLICY

## EUROPEAN COMMISSION

**Prior notification of a concentration****(Case COMP/M.6903 — RWA/GENOL)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2013/C 220/16)

1. On 25 July 2013, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which the undertaking RWA Raiffeisen Ware Austria AG ('RWA', Austria), jointly controlled by BayWa Aktiengesellschaft ('BayWa', Germany) and RWA Raiffeisen Ware Austria Handel und Vermögensverwaltung eGen, Vienna ('RWA Genossenschaft', Austria) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of GENOL Gesellschaft m.b.H & Co KG ('GENOL', Austria) by way of contract of management.

2. The business activities of the undertakings concerned are:

- RWA: distribution of agricultural products (e.g. crop, oilseeds, wood), farm inputs (seeds, crop protection products, fertilizers, feeding stuff) and consumer products (esp. building materials and home and gardening equipment),
- BayWa: wholesale and retail sale of agricultural products and commodities as well as consumer goods and energy (such as solid and liquid fuels, heating oil and renewables),
- RWA Genossenschaft: agricultural cooperative which is not controlled by third parties and which acts as a mere holding without operational activities on the market,
- GENOL: distribution of heating oil, motor fuels and related products (such as lubricants) and other fuels (in particular, coal, wood pellets and firewood).

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 <sup>(2)</sup> 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.

<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

<sup>(2)</sup> OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').

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.6903 — RWA/GENOL, to the following address:

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