

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.8033 — BMW/ALBA/Encory)

Candidate case for simplified procedure

(Text with EEA relevance)

(2016/C 298/06)

1. On 8 August 2016, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004⁽¹⁾ by which the undertakings Bayerische Motoren Werke Aktiengesellschaft ('BMW', Germany) and ALBA Group plc & Co. KG ('ALBA', Germany) acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control of Encory GmbH ('Encory', Germany) by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- BMW is a car and motorcycle producer present with the brands BMW, Mini and Rolls-Royce on the market,
- ALBA is a global waste management company, also active in the supply of raw materials,
- Encory will be active in recycling, processing and resale of used car parts, providing also waste management services for car parts and residues.

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 this 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 M.8033 — BMW/ALBA/Encory, to the following address:

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

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.