

***Case No COMP/M.4886 -
PETROPLUS / SHELL
FRENCH REFINERIES***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 11/01/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11-01-2008
SG-Greffe(2008) D/200058

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To The Notifying Party

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.4886 – PETROPLUS / SHELL FRENCH REFINERIES
Notification of 28.11.2007 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 294 of
06.12.2007, page 20**

1. On 28.11.2007, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertaking Petroplus Marketing AG ("Petroplus", Switzerland) controlled by Petroplus Holdings AG ("Petroplus Holding", Switzerland) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the Petit Couronne and Reichstett Refineries of Shell Société des Pétroles Shell SAS ("Shell French Refineries", France) by way of purchase of assets.

The business activities of the undertakings concerned are:

- for Petroplus : acquisition vehicle,
- for Petroplus Holding: refining, storing, marketing and international trading of crude oil and other petroleum products,

¹ OJ L 24, 29.1.2004 p. 1

- for Shell French Refineries: refinery of crude oil and wholesale marketing of fuels.
2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
 3. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No. 139/2004.

For the Commission
signed
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32