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***Case No COMP/M.6656 - GUNVOR INGOLSTADT/ GUNVOR  
DEUTSCHLAND / PETROPLUS ASSETS***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 03/08/2012

***In electronic form on the EUR-Lex website under document  
number 32012M6656***



EUROPEAN COMMISSION

Brussels, 03/08/2012  
C(2012) 5676

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case No COMP/M.6656 - GUNVOR INGOLSTADT / GUNVOR  
DEUTSCHLAND / PETROPLUS ASSETS  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 02/07/2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the Gunvor Group Ltd ("Gunvor", Cyprus) will indirectly acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of all the assets of the insolvent companies Petroplus Raffinerie Ingolstadt GmbH, Petroplus Deutschland GmbH and Petroplus Bayern GmbH ("the Target Business", Germany), by way of purchase of assets<sup>2</sup>
2. The business activities of the undertakings concerned are:
  - for Gunvor: active in the trade, transport and storage of crude oil, refined mineral oil products and other energy products;

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

<sup>2</sup> Publication in the Official Journal of the European Union No C 203, 11/07/2012, p.11

- for the Target Business: refining of crude oil and marketing and distribution of mineral oil products and petrochemical products to national and international wholesalers and industrial customers, as well as small and medium sized enterprises and households
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/20043.
  4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

*For the Commission*  
*(signed)*  
*Alexander ITALIANER*  
*Director General*

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<sup>3</sup> OJ C 56, 5.3.2005, p. 32.