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COMP/M. 6167 - RWA / OMV WARME

SECTION 1.2

Description of the concentration

1. The notified concentration consists of the proposed acquisition of sole control within the meaning of the EC Merger Regulation over OMV Wärme VertriebsgmbH (“OMV Wärme”) by RWA Raiffeisen Ware Austria AG (“RWA”) by way of the purchase of shares. Currently, OMV Wärme is 100% owned by OMV Refining & Marketing GmbH (“OMV R & M”). After the transaction, RWA will hold 51%, “Unser Lagerhaus” Warenhandelsgesellschaft m.b.H. 27% and BayWa Vorarlberg HandelsGmbH 11% of the shares in OMV Wärme. OMV R & M retains an 11% minority stake as financial stakeholder.
2. The main business activities of RWA concern the purchase and sale of agricultural products, technical equipment, energy, building materials and gardening products, as well as services. OMV Wärme is a mineral oil products distributor in Austria.
3. Horizontal overlaps between the Parties only arise in the wholesale and retail of automotive fuels and heating oil.
4. The concentration will not significantly impede effective competition in the European Union or in any substantial part of it since the extent of horizontal overlaps is limited and significant competition will remain in the affected markets. In fact, the proposed transaction will intensify competition in the wholesale and retail supply of heating oil in Austria.