

***Case No COMP/M.5858 -  
CARREFOUR/  
MARINOPOULOS/  
BALKAN JV***

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: 03/08/2010

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EUROPEAN COMMISSION

Brussels, 03.08.2010  
SG-Greffe(2010) D/11955 / 11956  
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PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying parties:**

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

**Subject: Case No COMP/M.5858 – CARREFOUR/ MARINOPOULOS/ BALKAN JV  
Notification of 05/07/2010 pursuant to Article 4 of Council Regulation (EC) No  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No C188, 13/07/2010,  
p.11.**

1. On 05/07/2010, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Carrefour S.A. ("Carrefour", France), and Marinopoulos Holding S.à r.l. ("Marinopoulos", Luxembourg), belonging to the Marinopoulos group, acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking CM Balkans B.V. ("Balkan JV", the Netherlands) by way of contract and purchase of shares in a newly created company constituting a joint venture, respectively.

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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.

2. The business activities of the undertakings concerned are:
- for Carrefour: food and non-food retailing in own-operated or franchised grocery stores (hypermarkets, supermarkets, discount and convenience stores) in Europe, Latin America and Asia.
  - for the Marinopoulos group: food and non-food retailing, manufacture of cosmetics and pharmaceutical products, retailing of clothes, cosmetics, optical products and specialty coffee in a number of countries in Europe, including Greece and Cyprus.
  - for the Balkan JV: operation of 4 supermarkets in Bulgaria and the development of hypermarkets and supermarkets under the Carrefour brand in the Balkans, namely Bulgaria, Slovenia, Albania, Bosnia-Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia.
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(a) and (b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</sup>.
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 European Commission,  
*(signed)*  
Alexander ITALIANER  
Director General

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<sup>2</sup> OJ C 56, 5.3.2005, p. 32.