

***Case No COMP/M.2631 -
PTT / HERMES
VERSAND***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 25/02/2002

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25/02/2002

SG (2002) D/228654

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.2631 – PTT / HERMES VERSAND
Notification of 22.01.2002 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C n° 26 of
30.01.2002**

1. On 22.01.2002, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which City Courier (Nederland) B.V., controlled by TPG N.V. (“TPG”), and Hermes Boten Service GmbH & CO. KG, belonging to the Otto Versand Combined Group (“Otto Versand”), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of EP Europost AG & Co KG and EP Europost Geschäftsführungs AG (“EP Europost”), by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - for TPG: National postal operator in the Netherlands, active in logistics, express and mail businesses in the Netherlands and elsewhere;
 - for Otto Versand : mail-order and retailing of non-food products through catalogue mail order, travel agency and mail delivery; and

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

- for EP Europost : distribution of mail in Germany.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
 4. 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 (EEC) No. 4064/89.

For the Commission

Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.