



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.08.2002  
SG (2002)D/231401

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Madam and Sir,

**Subject: Case No COMP/M.2728-ATG/ Wallenius Wilhelmsen Lines/ ATN Autoterminal Neuss Notification of 29 July 2002 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup> Publication in the Official Journal of the European Communities No. C 189 of 09/08/2002, pag. 28**

1. On 29 July 2002, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89<sup>2</sup> by which the German undertaking ATG Autotransportlogistik GmbH (ATG), controlled by Deutsche Bahn AG (the German rail operator), and the Norwegian undertaking Wallenius Wilhelmsen Lines AS (WWL) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the German undertaking ATN Autoterminal Neuss GmbH & Co. KG (ATN) by way of purchase of assets.
2. The business activities of the undertakings concerned are:
  - for undertaking ATG : Logistics, particularly rail transportation of automobiles and related activities
  - for undertaking WWL : Shipping operations, scheduled shipping services, overland transportation and related activities

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<sup>1</sup> 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.

<sup>2</sup> OJ L 395, 30.12.1989 p. 1; corrigendum OJ L 257 of 21.9.1990, p. 13; Regulation as last amended by Regulation (EC) No 1310/97 (OJ L 180, 9. 7. 1997, p. 1, corrigendum OJ L 40, 13.2.1998, p. 17).

- for undertaking ATN : Operation of an automobile transfer logistics centre
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 a of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/893.
  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  
David BYRNE  
Member of the Commission

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<sup>3</sup> OJ C 217, 29.07.2000, p. 32.