

***Case No COMP/M.3346 -
NYK REEFERS /
LAURITZEN COOL /
LCL JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 07/06/2004

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 07.06.2004

SG-Greffe(2004) D/202280,202281

PUBLIC VERSION

SIMPLIFIED PROCEDURE

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

To the notifying parties

Dear Sirs,

**Subject: Case No. COMP/M.3346 - NYK Reefers/LauritzenCool/LCL JV
Notification of 30.04.2004 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹, as last amended by Regulation (EC) No 1310/97²
Publication in the Official Journal of the European Union No. C 134,
12.05.2004.**

1. On 30.4.2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89, as last amended by Regulation (EC) No 1310/97, by which the undertaking NYK Reefers Limited ("NYK Reefers", UK) belonging to the Japanese NYK Group, acquires within the meaning of Article 3(1)(b) of the Council Regulation joint control of LauritzenCool Logistics AB ("LCL", Sweden) by way of purchase of 50 % of the shares in LCL from LauritzenCool AB ("LauCool", Sweden).
2. The business activities of the undertakings concerned are :

¹ OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

² OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.

- for NYK Reefers : operation of refrigerated vessels ,
 - for NYK Group : global logistics,
 - for LCL: door-to-door services for the transport of perishable goods,
 - for LauCool: international trade in the transport of perishable goods.
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, 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

Mario MONTI
Member of the Commission

³ OJ C 217, 29.07.2000, p. 32.