

***Case No COMP/M.3481 -  
HUTCHISON  
WHAMPOA /  
ROSSMANN  
BETEILIGUNG / DIRK  
ROSSMANN***

Only the English text is available and authentic.

**REGULATION (EEC) No 139/2004  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 20/08/2004

*Also available in the CELEX database  
Document No 32004M3481*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20-VIII-2004

SG-Greffe(2004) / 203613

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying parties:**

Dear Madam and Sir,

**Subject: Case No. COMP/M.3481 Hutchison Whampoa/ Rossmann Beteiligung/ Dirk Rossmann  
Notification of 23 July 2004 pursuant to Article 4 of Council Regulation (EC) No. 139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C 195, 31.07.2004**

1. On 23 July 2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Hutchison Whampoa Ltd. (“Hutchison”, Hong Kong) and Rossmann Beteiligungs GmbH (“Rossmann Beteiligung”, Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the German undertaking Dirk Rossmann GmbH (“Dirk Rossmann”) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
  - for undertaking Hutchison: diversified manufacturing and services group, including inter alia activities in the retail sale of health and beauty products in Europe

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<sup>1</sup> OJ L 24, 29.1.2004 p. 1

- for undertaking Rossmann Beteiligung: holding company with activities inter alia in the retail sale of health and beauty products; property management
  - for undertaking Dirk Rossmann: retail sale of health and beauty products
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 139/2004<sup>2</sup>.
  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 (EC) No. 139/2004.

For the Commission

Mario MONTI  
Member of the Commission

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<sup>2</sup> Adopted by the Commission on 20 July 2004 and available on DG COMP website: [http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified\\_tru.pdf](http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf)