

***Case No COMP/M.4029 -  
KUEHNE + NAGEL /  
ACR LOGISTICS***

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: 21/12/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21/12/2005

**SG-Greffe(2005) D/207595**

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

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

**Subject: Case No. COMP/M.4029 – KUEHNE + NAGEL / ACR LOGISTICS  
Notification of 17 November 2005 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 292 of 24  
November 2005, page 9**

1. On 17/11/2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Kuehne + Nagel International AG (K+N, Switzerland) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking ACR Logistics Holdings BV (ACR, The Netherlands) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for K+N : Logistics company with main activities in sea freight forwarding, airfreight forwarding and contract logistics;
  - for ACR : Contract logistics.

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

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 (EC) 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  
(signed)  
Neelie KROES  
Member of the Commission

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<sup>2</sup> OJ C 56, 05.3.2005 p.32