

***Case No COMP/M.4810 -
TOEPFER
INTERNATIONAL /
THYSSEN KRUPP /
IMPERIAL LOGISTICS /
JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 23/11/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23/11/2007

SG-Greffe(2007) D/207171, D/207172,
D/207173

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

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

**Subject: Case No. COMP/M.4810 – Toepfer / ThyssenKrupp / Imperial Logistics/JV
Notification of 19/10/2007 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 257, on
30/10/2007, page 49**

1. On 19/10/2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation No 139/2004 by which the undertakings Alfred C. Toepfer International GmbH ("Toepfer", Germany), ThyssenKrupp MinEnergy GmbH ("ThyssenKrupp", Germany) and Imperial Logistics International GmbH ("Imperial", Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Brouwer Shipping & Chartering GmbH &Co KG ("Brouwer", Germany), currently sole-controlled by Imperial, by way of purchase of shares.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are:
- for Toepfer: Production and sale of agricultural products;
 - for ThyssenKrupp: Production and sale of steel products;
 - for Imperial: Transport and logistics;
 - for Brouwer: Maritime brokerage.
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. 139/2004².
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
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32