

***Case No COMP/M.5233 -
APMM / SWIFT
TANKERS POOL***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 11/11/2008

***In electronic form on the EUR-Lex website under document
number 32008M5233***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11/11/2008

SG-Greffe(2008) D/206770

C(2008) 6906

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

Dear Sir,

**Subject: Case No. COMP/M.5233 – APMM/ SWIFT TANKERS POOL
Notification of 10.10.2008 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 265 of 18
October 2008, p. 24**

1. On 10 October 2008, the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 by which A.P. Møller-Mærsk ("APMM", Denmark) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of Teekay's participation in the Swift Tankers pool ("Swift", Denmark), by way of purchase of shares and assets.
2. The business activities of the undertakings concerned are:
 - for APMM: shipping, container terminal services, inland transportation, logistics, harbour towage, tankers, oil and gas exploration and production, and supermarkets.

¹ OJ L 24, 29.1.2004 p. 1

- for Swift: transport of bulk liquid 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(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