

***Case No COMP/M.5554 -
HAVI/KEYLUX/STI
FREIGHT JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/03/2010

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EUROPEAN COMMISSION

Brussels, 16.3.2010
SG-Greffe(2010) D/3219/3220
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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.5554 - HAVI/ KEYLUX/ STI FREIGHT JV
Notification of 17/02/2010 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 47, 25/02/2010
p. 27**

1. On 17 February 2010, the European Commission received a notification of a proposed concentration pursuant to Article 4 of the EC Merger Regulation by which the undertakings HAVI Global Logistics GmbH ("HAVI", Germany), belonging to HAVI Group LP (USA), and McKey Luxembourg S.à.r.l ("KeyLux", Luxembourg), belonging to Keystone Group (USA), acquire within the meaning of Article 3(1)(b) of the EC Merger Regulation joint control of the undertaking STI Freight Management GmbH ("STI Freight", Germany) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - for HAVI: food and non-food logistics and distribution, food processing, packaging and administrative services and promotional marketing,
 - for KeyLux: freight forwarding, logistics and distribution in the food sector,

¹ OJ L 24, 29.1.2004, p. 1 (the "EC Merger Regulation").

- for STI Freight: taking over of the activities of the "STI Global Network" companies in the food/non-food freight forwarding sector.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the EC Merger Regulation 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 European 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 the EC Merger Regulation.

For the Commission
(Signed)
Alexander ITALIANER
Director General

² OJ C 56, 05.3.2005, p. 32 ("Notice on a simplified procedure").