

EN

***Case No COMP/M.6519 -  
CREMER / L POSSEHL /  
POSSEHL ERZKONTOR  
JV***

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: 23/03/2012

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EUROPEAN COMMISSION

Brussels, 23.03.2012  
C(2012) 2123

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case No COMP/M.6519 - CREMER / L POSSEHL / POSSEHL ERZKONTOR  
JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 17 February 2012, the European Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Peter Cremer Holding GmbH & Co. KG ("Cremer", Germany) and L. Possehl & Co. mbH ("L. Possehl", Germany) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Possehl Erzkontor GmbH ("Possehl Erzkontor", Germany), currently solely controlled by L. Possehl, by way of sale and purchase of shares.

The business activities of the undertakings concerned are:

- for Cremer: trade in agricultural products, basic commodities, steel and other raw materials; production and sale of agricultural products; production, trade and sale of oleochemical products and shipping of bulk and container cargo,

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

- for L. Possehl: special purpose construction; precious metals processing; elastomer processing; electronics; mailroom services; cleaning systems; textile finishing systems and SME investments,
  - for Possehl Erzkontor: international trade in minerals, ores, metals, plastic raw materials and chemicals.<sup>2</sup>
2. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c)(i) and (ii) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>3</sup>
  3. 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 internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

*For the Commission*

*(signed)*

*Alexander ITALIANER*

*Director General*

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<sup>2</sup> OJ C 57, 25.2.2012, p. 12.

<sup>3</sup> OJ C 56, 5.3.2005, p. 32.