

EN

***Case No COMP/M.6612 -
VITOL / ATLASINVEST /
PETROPLUS
MARKETING***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 18/06/2012

***In electronic form on the EUR-Lex website under document
number 32012M6612***



EUROPEAN COMMISSION

Brussels, 18.06.2012
C(2012)4259

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.6612 - VITOL / ATLASINVEST / PETROPLUS
MARKETING
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 21.05.2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Vitol Holding B.V. ("Vitol", the Netherlands), and Alea Iacta Est B.V. ("AtlasInvest", the Netherlands), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of certain assets currently controlled by the Petroplus Group ("Petroplus Marketing", Switzerland) by way of purchase of shares and assets.

The business activities of the undertakings concerned are:

- for Vitol: trading of commodities and financial instruments relating in particular to oil and gas, operation of storage terminals and exploration and production of oil and gas;
- for AtlasInvest: private investment, primarily in conventional oil and gas;

¹ 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 Petroplus Marketing: the Cressier refinery (and associated infrastructure) together with Petroplus' wholesale marketing business in Switzerland.²
- 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) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.
- 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

² Publication in the Official Journal of the European Union No C 160, 06.06.2012, p. 22

³ OJ C 56, 5.3.2005, p. 32.