

Case No COMP/M.7258 - TTC/ SCHOLZ

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 11/06/2014

***In electronic form on the EUR-Lex website under document
number 32014M7258***



EUROPEAN COMMISSION

Brussels, 11.6.2014
C(2014) 4006 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

Dear Sirs,

Subject: Case M.7258 - TTC/ SCHOLZ
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹

1. On 12.05.2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Toyota Tsusho Corporation ("TTC", Japan) and the Scholz family shareholders intend to acquire within the meaning of Art. 3 (1) (b) of the Merger Regulation Regulation joint control of the undertaking Scholz AG ("Scholz", Germany) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for TTC : Logistics services for the automotive industry, and trading of metals, machinery, chemicals and other products

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 Scholz family shareholders: Holding shares in Scholz and other companies mainly investing in real estate
 - for Scholz: trading and processing of ferrous and non-ferrous scrap and steel.²
3. 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 139/2004.³
 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 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 150, 17.05.2014, p.11.

³ OJ C 366, 14.12.2013, p. 5.