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***Case No COMP/M.7402 - KLESCH REFINING/ MILFORD
HAVEN REFINERY ASSETS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 09/10/2014

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EUROPEAN COMMISSION

Brussels, 9.10.2014
C(2014) 7511 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case M.7402 – KLESCH REFINING/ MILFORD HAVEN REFINERY ASSETS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 11.09.2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Klesch Refining Limited ("Klesch Refining", United Kingdom), belonging to the Klesch Group, acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the Milford Haven refinery and its ancillary assets ("Milford Haven", United Kingdom), by way of purchase of assets.
2. The business activities of the undertakings concerned are:
 - for Klesch Refining: belongs to the Klesch Group, which is active in the production and trading of chemicals, metals and oil. The Klesch Group owns and operates the Heide Refinery (Germany), which is active in the refining of crude oil into refined products such as gasoline, diesel, fuel oil, jet fuel, LPG and propylene;
 - for Milford Haven: active in the refining of crude oil into refined products such as gasoline, diesel, fuel oil, jet fuel, LPG and propylene.²

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.

² Publication in the Official Journal of the European Union No C 325, 19.09.2014, p.5.

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 139/2004³.
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

³ OJ C 366, 14.12.2013, p. 5.