

EN

***Case No M.7598 - DR
OETKER /
COPPENRATH &
WIESE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 17/06/2015

***In electronic form on the EUR-Lex website under document
number 32015M7598***



EUROPEAN COMMISSION

Brussels, 17.6.2015
C(2015) 4237 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

Dear Sirs,

**Subject: Case M.7598 — Dr. Oetker/Coppenrath & Wiese
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

1. On 12 May 2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Dr. August Oetker KG (Dr. Oetker, Germany) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the undertaking Conditorei Coppenrath & Wiese GmbH & Co. KG (Coppenrath & Wiese, Germany) by way of purchase of shares. The same concentration was already notified to the Commission on 20 March 2015, but the notification was subsequently withdrawn on 15 April 2015.³
2. The business activities of the undertakings concerned are:

— **for Dr. Oetker:** (i) manufacturer, supplier and distributor of food products (frozen pizza, baking ingredients and decorations, powder dessert mixes, powder baking mixes, chilled dessert products, convenience products for bakeries and confectioneries), specialty phosphates, sparkling wine, wine, spirits, beer and non-alcoholic beverages, (ii) provider of shipping services (container shipping line), hotels, logistical, financial, data centre and hosting services, and (iii) owner of specialised outlets for catering and publishing of cookbooks,

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 OJ L 1, 3.1.1994, p. 3 ("the EEA Agreement").

³ Publication in the Official Journal of the European Union No C 170/7, 23.05.2015, p. 7.

— **for Coppenrath & Wiese:** (i) manufacturer, supplier and distributor of frozen cakes, frozen gateaux, frozen desserts and frozen rolls, and (ii) provider of forwarding and warehouse services for deep frozen food products.

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 139/2004.⁴
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 and Article 57 of the EEA Agreement.

For the Commission
(signed)
Alexander ITALIANER
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.