



EUROPEAN COMMISSION
DG Competition

***Case M.7853 - CMA CGM
/ BOLLORE / KRIBI JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 12/04/2016

***In electronic form on the EUR-Lex website under document
number 32016M7853***



EUROPEAN COMMISSION

Brussels, 12.4.2016
C(2016) 2218 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Sirs,

**Subject: Case M.7853 – CMA CGM / BOLLORE / KRIBI JV
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 14 March 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which CMA CGM S.A. (France) and Bolloré S.A. (France) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a new container terminal in the Port of Kribi, Cameroon, by way of purchase of shares in a newly created company constituting a joint venture ('Kribi JV').
2. The business activities of the undertakings concerned are:
 - for CMA CGM: CMA CGM is active in containerised liner shipping and port terminal management. CMA CGM is the world's third largest container shipping company and offers a complete range of activities including shipping, reefer transport (i.e. transport of refrigerated goods), handling facilities in ports, as well as freight transport and logistics on land,
 - for Bolloré: Bolloré is an investment and holding group active in the transportation and logistics services, manufacture of plastic films, ticket machine terminals, batteries and electric vehicles, fuel distribution, communication and media including advertising and plantations,

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').

- for Kribi JV: Kribi JV will be active in the development and operation of a new container terminal at the deep-sea port of Kribi (Cameroon).³
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(a) 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)
Johannes LAITENBERGER
Director-General

³ Publication in the Official Journal of the European Union No C 105, 19.03.2016, p. 11.

⁴ OJ C 366, 14.12.2013, p. 5.