



EUROPEAN COMMISSION
DG Competition

***Case M.8249 - SHV / DELI
HOME AND GARDEN***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 25/11/2016

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EUROPEAN COMMISSION

Brussels, 25.11.2016
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PUBLIC VERSION

To the notifying party

**Subject: Case M.8249 – SHV/Deli Home and Garden
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**

Dear Sir or Madam,

1. On 31 October 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking SHV Holdings ('SHV', the Netherlands), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking N.V. Deli Home and Garden ('Deli', the Netherlands) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for SHV: the trade in and distribution of LPG, exploration and production of oil and gas, self-service wholesale, heavy transportation, industrial services, animal nutrition and fish feed, and private equity activities,
 - for Deli: supplier of constructive and decorative home and garden building materials to DIY ('Do it Yourself') chains and garden centres throughout Europe. Deli also supplies to business to business ('B2B') resellers such as builders merchants, landscaping supply resellers and specialty stores.

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 412, 9.11.2016, p. 27.

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 paragraphs 5(b) and (d) 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

⁴ OJ C 366, 14.12.2013, p. 5.