



EUROPEAN COMMISSION
DG Competition

***Case M.9326 - SAUDI
ARAMCO / TOTAL
MARKETING / SAHEL***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 07/05/2019

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EUROPEAN COMMISSION

Brussels, 7.5.2019
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PUBLIC VERSION

To the notifying parties

**Subject: Case M.9326 – Saudi Aramco / Total Marketing / Sahel
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 5 April 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Saudi Aramco Retail Company ('SARC', Saudi Arabia) and Total Marketing Services S.A. ('Total MS', France) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of Sahl Transportation Company ('STC', Saudi Arabia) and Tasheelat Marketing Company ('TMC', Saudi Arabia) (TMC and STC together are referred to as 'Sahel').³

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:
 - for SARC: a wholly owned subsidiary of Saudi Arabian Oil Company ('Saudi Aramco', Saudi Arabia) which is responsible for owning and managing Saudi Aramco's fuel retailing business in Saudi Arabia. Saudi Aramco is engaged in the production and marketing of refined products.
 - for Total MS: a wholly owned subsidiary of Total S.A. ('Total'). Total MS is active in the distribution of refined petroleum products, including fuels. Total is an international integrated energy producer.

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 136, 12.04.2019, p. 29.

- for Sahel: TMC operates a retail service station network across Saudi Arabia under the Sahel brand. It also provides, through two subsidiaries, a variety of goods and services, such as snacks and beverages, confectionary, fast food and car accessories. STC provides fuel transportation services to Sahel service stations.
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

⁴ OJ C 366, 14.12.2013, p. 5.