



EUROPEAN COMMISSION
DG Competition

Case M.10321 – DSV / AGILITY

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 28/07/2021

***In electronic form on the EUR-Lex website under
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EUROPEAN COMMISSION

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PUBLIC VERSION

DSV PANALPINA A/S
Hovedgaden 630
P.O. Box 210
2640 Hedehusene
Denmark

Subject: Case M.10321 – DSV / AGILITY
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 28 June 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation whereby DSV Panalpina A/S (“DSV”, Denmark) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Agility Logistics International B.V. (the Netherlands) and Agility International GIL Holdings I Limited (United Arab Emirates) (together referred to as “GIL”), belonging to the Agility Public Warehousing Company K.S.C.P (“Agility”, Kuwait), by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for DSV: supply chain solutions, including freight forwarding and contract logistics services. DSV’s services portfolio is organised into three lines of business: i) Air and Sea, ii) Road and iii) Solutions (logistics services including warehousing). DSV is active in Europe, the Americas, Asia-Pacific, the Middle-East and Africa;
 - for GIL: logistics services including air, ocean and road freight forwarding services, contract logistics, with a focus on emerging markets. GIL is active in APAC, the Middle East and Africa, Europe and the Americas.

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 262, 5.7.2021, p. 22.

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)
Olivier GUERSENT
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.