



EUROPEAN COMMISSION
DG Competition

***Case M.9837 - BP / SINOPEC FUEL OIL SALES /
BP SINOPEC MARINE FUELS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 22/01/2021

***In electronic form on the EUR-Lex website under
document number 32021M9837***



EUROPEAN COMMISSION

Brussels, 22.1.2021
C(2021) 452 final

PUBLIC VERSION

To the notifying parties

**Subject: Case M.9837 – BP / SINOPEC FUEL OIL SALES / BP SINOPEC MARINE FUELS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004^{1,2} and Article 57 of the Agreement on the European Economic Area³**

Dear Sir or Madam,

1. On 22 December 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings BP p.l.c. (United Kingdom), and Sinopec Fuel Oil Sales Co. Ltd (People's Republic of China), ultimately controlled by China Petrochemical Corporation (People's Republic of China), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertaking BP Sinopec Marine Fuels Pte. Ltd by way of contract.⁴
2. The business activities of the undertakings concerned are:
 - for BP p.l.c.: exploration, production and marketing of crude oil and natural gas; refining, marketing, supply and transportation of petroleum products; production and supply of petrochemicals and related products; and supply of alternative energy,
 - for Sinopec Fuel Oil Sales Co. Ltd: providing oil products and service to domestic and international trading vessels,

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 For the purposes of this Decision, although the United Kingdom withdrew from the European Union as of 1 February 2020, according to Article 92 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 29, 31.1.2020, p. 7), the Commission continues to be competent to apply Union law as regards the United Kingdom for administrative procedures which were initiated before the end of the transition period.

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

⁴ Publication in the Official Journal of the European Union No C 006, 8.1.2021, p. 16.

- BP Sinopec Marine Fuels Pte. Ltd: wholesale and retail supply of bunker fuels in Europe, Asia and the Middle East.
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 139/2004.⁵
 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

⁵ OJ C 366, 14.12.2013, p. 5.