



EUROPEAN COMMISSION
DG Competition

Case M.10820 - BERKSHIRE / ALLEGHANY

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 23/09/2022

***In electronic form on the EUR-Lex website under document
number 32022M10820***



EUROPEAN COMMISSION

Brussels, 23.9.2022
C(2022) 6903 final

PUBLIC VERSION

Berkshire Hathaway, Inc.
3555 Farnam Street, Omaha
68131 Nebraska
United States of America

Subject: Case M.10820 - BERKSHIRE / ALLEGHANY
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 1 September 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Berkshire Hathaway Inc. (“Berkshire Hathaway”, USA) will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Alleghany Corporation (“Alleghany”, USA). The concentration is accomplished by way of purchase of shares.³
2. The business activities of the undertakings concerned are the following:
 - Berkshire Hathaway is a company engaged in insurance and reinsurance activities, freight rail transportation, and utility and energy generation and distribution. Berkshire Hathaway also owns and operates other businesses engaged in a variety of manufacturing, services, and retailing activities,
 - Alleghany is an asset management company, also active in property and casualty reinsurance and insurance.
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

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 345, 08.09.2022, p. 8.

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.