



EUROPEAN COMMISSION  
DG Competition

***Case M.10880 - DUFYR / AUTOGRILL***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 20/12/2022

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EUROPEAN COMMISSION

Brussels, 20.12.2022  
C(2022) 9952 final

**PUBLIC VERSION**

Dufry AG  
Brunngässlein 12  
CH - 4052 Basel  
Switzerland

**Subject: Case M.10880 – DUFRY / AUTOGRILL  
Commission decision pursuant to Article 6(1)(b) of Council Regulation  
(EC) No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European  
Economic Area<sup>2</sup>**

Dear Sir or Madam,

1. On 25 November 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertaking Dufry AG ('Dufry', Switzerland), will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the undertaking Autogrill S.p.A. ('Autogrill', Italy) by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are the following:
  - Dufry is a global travel retail business that operates retail outlets in airports and other transport hubs,
  - Autogrill is a global provider of food and beverage services to travellers, which operates at airports, motorways and other transport hubs.
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) and 6 of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>4</sup>

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<sup>1</sup> 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.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 462, 05.12.2022, p. 24.

<sup>4</sup> OJ C 366, 14.12.2013, p. 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*