



EUROPEAN COMMISSION
DG Competition

Case M.10971 - ILS / DANX / JV

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/02/2023

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EUROPEAN COMMISSION

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PUBLIC VERSION

DANX Group A/S
Vejleåvej 9
DK-2635 Ishøj
Denmark

ILS sp. z o.o.
Swobodnia 35
05-180 Zakroczym
Poland

**Subject: Case M.10971 - ILS / DANX / JV
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 2 February 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which ILS sp. z o.o ('ILS', Poland), controlled by Inter Cars S.A. ('Inter Cars', Poland) and DANX Group A/S ('DANX', Denmark), controlled by Axcel VI ('Axcel', Denmark), will acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of a newly created company ('Target JV', Poland). The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.³
2. The business activities of the undertakings concerned are the following:
 - ILS is a logistics company, offering services and dedicated solutions related to storage of goods, as well as domestic and international transport (land, sea and intermodal transport), for the automotive, chemical, petrochemical and FMCG sectors. ILS is controlled by Inter Cars, a group active in the sale of automotive spare parts for passenger cars and commercial vehicles,

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 49, 9.2.2023, p. 11.

- DANX is a logistics company, specialised in in-night distribution of spare parts operating in Denmark, Sweden, Norway, Finland, Estonia, Lithuania and Latvia. DANX is a portfolio company of Axcel VI, a private equity fund with a particular focus on medium-sized companies in the Nordics.
- 3. The Target JV is a greenfield joint venture set up for the purposes of providing logistics services in Poland, in particular (i) in-night distribution, (ii) pick-up, drop-off, (iii) forward stock locations, and (iv) warehousing.
- 4. 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
- 5. 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.