EUROPEAN COMMISSION

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PUBLIC VERSION

Cordes & Graefe KG
Altenwall 6
28195 Bremen
Germany

Subject: **Case M.9970 – CORDES & GRAEFE / FACQ**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 18 February 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Cordes & Graefe KG ('Cordes & Graefe', Germany) intends to acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the FACQ Group ('FACQ', Belgium). FACQ includes:

   (a) FACQ SA;

   (b) Immobilière les blés d'or SA;

   (c) Immobilière Weideveld SA; and

   (d) Renoma SRL.

2. The concentration is accomplished by way of purchase of shares.[3]

3. By decision of 17 February 2021, the Commission referred the proposed concentration in part to the Belgian Competition Authority pursuant to Article 4(4) of the Merger Regulation. This decision therefore relates to the effects of the proposed concentration in the Member States other than Belgium, in particular in Germany and Luxembourg.

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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 (the '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 71, 1.3.2021, p. 62.

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4. The business activities of the undertakings concerned are:

   – for Cordes & Graefe: wholesale and retail supply of sanitary, plumbing, ventilation, heating and air conditioning products, electrical equipment, roofing, excavation and industrial technologies, mainly to professional customers; and

   – for FACQ: retail supply of sanitary, plumbing, ventilation, heating and air conditioning products to professional and non-professional customers.

5. 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 6 of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

6. 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.