EUROPEAN COMMISSION

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PUBLIC VERSION

Van Mossel Automotive International B.V.
Jan Vestersstraat 1,
5145 MA, Waalwijk
The Netherlands

Subject: **Case M.11473 – VAN MOSSEL AUTOMOTIVE / MERCEDES-BENZ CPH**
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 22 March 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertaking Van Mossel Automotive International B.V. ('Van Mossel Automotive'), ultimately jointly controlled by Henricus Wilhelmus Simon Maria Berkhof and Bertus Elizabeth Mandemakers, (all of the Netherlands), will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the undertaking Mercedes-Benz CPH A/S ('Mercedes-Benz CPH', Denmark), ultimately controlled by Mercedes-Benz Group AG (Germany) by way of purchase of shares. ([3])

(2) The business activities of the undertakings concerned are the following:

– Van Mossel Automotive is active in the sale of new and used passenger cars and light commercial vehicles of various brands via sales locations in the Netherlands, Belgium, France, Luxembourg, Germany and the UK. Van Mossel Automotive also owns damage repair shops with nationwide coverage in Belgium and the Netherlands. In addition, Van Mossel Automotive offers related services (such as car rental, financing and car leasing) and is present on the aftermarket for the sale of original equipment parts and accessories,

([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]) OJ C, C/2024/2493, 4.4.2024.

– Mercedes-Benz CPH is active in the sale of new and used passenger cars and light commercial vehicles of the Mercedes-Benz brand in Denmark. Mercedes-Benz CPH also offers maintenance and repair works for passenger cars of the Mercedes-Benz Smart brands as well as trucks. In addition, Mercedes-Benz CPH offers related services (such as car rental and car leasing) and is present on the aftermarket for the sale of original equipment parts and accessories.

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

(4) For the reasons set out in the Notice on a simplified treatment, 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 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').