**Prior notification of a concentration**

**(Case M.10613 – PORSCHE AUSTRIA / WOLFGANG DENZEL AUTO / SAUBERMACHER DIENSTLEISTUNG / JV)**

**Candidate case for simplified procedure**

**(Text with EEA relevance)**

(2022/C 104/09)

1. On 25 February 2022, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— Porsche Austria GmbH & Co OG ('Porsche Austria', Austria), ultimately controlled by Volkswagen AG, the ultimate parent company of Volkswagen group,

— Wolfgang Denzel Auto AG ('Denzel', Austria), controlled by 'Familienstiftung W. Denzel' and individual members of the Denzel family,

— Saubermacher Dienstleistungs AG ('Saubermacher', Austria), solely controlled by Roth Privatstiftung.

This notification concerns the acquisition of joint control by Porsche Austria, Denzel and Saubermacher in a newly established full-function joint venture within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation.

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned:

— Porsche Austria: importation and wholesale of motor vehicles (including spare parts and accessories) of the brands Volkswagen Passenger Cars, Volkswagen Commercial Vehicles, Porsche, Audi, Škoda, SEAT and CUPRA in Austria,

— Denzel: importation and wholesale of motor vehicles of the brands Mitsubishi, Hyundai, MG and Maxus in Austria,

— Saubermacher: waste logistics, waste processing, waste treatment, and waste disposal,

— the JV: consulting services in relation to the handling and disposal/treatment of lithium batteries, provision of special containers and commissioning of contractors.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.10613 – PORSCHE AUSTRIA / WOLFGANG DENZEL AUTO / SAUBERMACHER DIENSTLEISTUNG / JV

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

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