EUROPEAN COMMISSION

Brussels, 17.12.2020
C(2020) 9405 final

PUBLIC VERSION

To the notifying party

Subject: **Case M.10062 – SDK / FREJA TRANSPORT & LOGISTICS**
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 23 November 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which SDK A/S ("SDK", Denmark), part of the group A/S United Shipping & Trading Company ("USTC") and ultimately controlled by the Danish citizens Mr. Torben Østergaard Nielsen, Ms. Mia Østergaard Nielsen, and Ms. Nina Østergaard Borris, acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Freja Transport & Logistics Holding A/S ("FTL", Denmark), owned by JJH Invest ApS and AH Skive ApS and ultimately controlled by the Danish citizen Mr. Jørgen Jørgensen Hansen. The concentration is accomplished by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for SDK: shipping, logistics, chartering and other services to the cruise industry in Northern Europe including stevedoring, port agency, customs clearing, commercial chartering, freight forwarding services by road and sea and to a limited extent by air;

   – for FTL: domestic and cross-border freight forwarding by land and to a limited extent by air and sea.

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

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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 ('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 415, 1.12.2020, p. 35.

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

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

4 OJ C 366, 14.12.2013, p. 5.