EUROPEAN COMMISSION

Brussels, 21.8.2023
C(2023) 5734 final

PUBLIC VERSION

Samskip Holding B.V.
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The Netherlands

Duisburger Hafen AG
Alte Ruhrorter Str. 42-52
47119 Duisburg
Germany

TX Logistik AG
Junkersring 33
53844 Troisdorf
Germany

Subject: **Case M.11065 – SAMSKIP / DUISPORT / TX LOGISTIK / ZIEL TERMINAL**
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 26 July 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Samskip Holding B.V. ("Samskip", the Netherlands), ultimately controlled by two private individuals, Duisburg Hafen AG ("Duisport", Germany), ultimately controlled by Beteiligungsverwaltungsgesellschaft des Landes NRW mbH ("BVG", Germany) and TX Logistik AG ("TX Logistik", Germany), ultimately controlled by Ferrovie dello Stato Italiane Sp.A. ("FS", Italy), will acquire within the meaning of Articles 3(1)(b)

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').

and 3(4) of the Merger Regulation joint control over the whole of a newly created joint venture ("Ziel Terminal", Germany) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned and the newly set-up joint venture are the following:

   – Samskip is a global logistic company offering transport and related services by land, sea, rail and air;

   – Duisport is the owner and management company of the port of Duisburg and currently manages other terminals located within a radius of about 200 km around the location of the Ziel Terminal;

   – TX Logistik is a rail logistic company operating in Europe;

   – Ziel Terminal will operate a bi-modal rail/road terminal located in Krefeld-Uerdingen, Duisburg.

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(a) and 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

3 Publication in the Official Journal of the European Union No C 274, 3.8.2023, p. 23

4 OJ C 366, 14.12.2013, p. 5.