V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9666 – Deutsche Asphalt/KEMNA BAU Andrae/Heideasphalt)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 170/06)

1. On 8 May 2020, 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:

— Deutsche Asphalt GmbH ('Deutsche Asphalt', Germany), controlled by STRABAG SE ('STRABAG group', Austria)

— KEMNA BAU Andrae GmbH & Co. KG ('KEMNA BAU', Germany)

— Heideasphalt GmbH & Co. KG ('Heideasphalt'), a joint venture to be newly created in Germany

Deutsche Asphalt and KEMNA BAU acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Heideasphalt.

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 are:

— STRABAG is a global construction group and is active in all areas of the construction industry, especially in transportation infrastructures, building, engineering,track and railway construction, construction related services (facility management) and raw and building material extraction and trading. Through Deutsche Asphalt in particular, it is active in the production of various types of asphalt for asphalt base courses, asphalt binder courses and asphalt surface courses.

— KEMNA BAU is active in various market stages of traffic route construction. In particular, it is active in the extraction of raw materials by means of quarries and gravel works, in the production and distribution of asphalt mix as well as in the construction (asphalt road construction, concrete construction for special trades, paving). In addition, it is involved in earthworks, sewerage, landfill and railway construction, building repair work and the manufacture of in-situ concrete protective walls.

— Heideasphalt will operate an asphalt mixing plant in Wittingen, currently operated by Deutsche Asphalt.

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.

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the 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.9666 – Deutsche Asphalt/KEMNA BAU Andrae/Heideasphalt

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

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

([2]) OJ C 366, 14.12.2013, p. 5.