C/2024/1226

31.1.2024

Prior notification of a concentration

(Case M.11413 – DUISPORT / TKSE / TKSL)

Candidate case for simplified procedure

(Text with EEA relevance)

(C/2024/1226)

1. On 19 January 2024, 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:

— Duisburger Hafen Aktiengesellschaft ('Duisport'), controlled by the Beteiligungsverwaltungsgesellschaft des Landes Nordrhein-Westfalen mbH ('BVG') (both in Germany),

— thyssenkrupp Steel Europe AG ('tkSE'), part of the thyssenkrupp AG group (both in Germany),

— thyssenkrupp Steel Logistics GmbH ('tkSL') (Germany), controlled by tkSE.

Duisport and tKSE will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of tkSL.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

— Duisport is the owner and operator of the Port of Duisburg. It rents land and property for commercial and logistical purposes and provides transhipment services, packaging and contract logistics, and other logistical services.

— tkSE specialises in producing carbon steel flat products. Its offer ranges from customised materials solutions to material-related services.

3. The business activities of the undertaking tKSL are the following: tkSL operates tkSE's private works ports in Schwelgern and Walsum, which belong to a contiguous port area in the vicinity of the Port of Duisburg, namely the ports of tKSE's Duisburg steel plant, which are located on the site.

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

5. 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.11413 – DUISPORT / TKSE / TKSL

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 160, 5.5.2023, p. 1.

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

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