EUROPEAN COMMISSION

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PUBLIC VERSION

PreZero International GmbH
Stiftsbergstrasse 1
74172 Neckarsulm
Germany

Subject: **Case M.10476 — SCHWARZ GROUP / CESPA**
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 30 September 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking PreZero International GmbH, Germany ("PreZero", Germany) belonging to the Schwarz Group (Germany), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control over the whole of the undertaking Compañia Española de Servicios Públicos Auxiliares S.A.U. ("Cespa", Spain) controlled by Ferrovial International SE, Spain ("Ferrovial", Spain) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – PreZero is active in the collection, sorting, processing and recycling of waste. PreZero is part of Schwarz Group which is mainly active in food retailing through its retail chains Lidl and Kaufland,

   – Cespa provides waste management services in Spain as well as waste management and facility management services in Portugal.

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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 406, 8.10.2021, p. 8.

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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 (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.