EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M. 9859 – ALCOPA COORDINATION CENTER / BERAN CENTRAL EUROPE / ALCOMOTIVE**
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 3 June 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings (i) Alcopa Coordination Center NV**,** ultimately controlled by Alcopa NV ("Alcopa", Belgium) and (ii) Beran Central Europe, S.L. ("Beran", Spain), jointly ultimately controlled by the Berge Group (Spain), Mitsubishi Corporation ("MC", Japan) and Inmobiliaria Algeciras Limitada ("Algeciras", Chile), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertaking Alcomotive ("Alcomotive", Belgium), currently solely controlled by ACC, by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   — For ACC: ACC is the holding company of the Alcopa group and holds the shares of the different entities of the Alcopa group. Alcopa is active in the investment in a broad range of products and industries including automotive, real estate, solar screens, furniture and pharmacy;

   — For the Berge Group: The Berge Group is active within maritime ports, distribution of motor vehicles, logistics, renewable energy and finance;

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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 197, 12.6.2020, p. 17.

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— For MC: MC is active across several industries, including industrial finance, energy, metals, machinery, chemicals, food and environment, and the distribution of motor vehicles;

— For Algeciras: Algeciras' only activities in the EEA are its activities in joint ventures with Berge Auto in Finland for the distribution of passenger cars and light commercial vehicles and related spare parts, after sales and financing. Outside the EEA, its main activities relate to the sale and marketing of motor vehicles and related services, construction and marketing of residential real estate units, as well as development, execution and exploitation of the real estate business related to commercial real estate (e.g. shopping malls), and financial intermediation;

— For Alcomotive: the import and wholesale distribution of 4 wheels motor-vehicles.

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.