Prior notification of a concentration

(Case M.9703 — SCP/Real)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 48/14)

1. On 4 February 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:

— SCP Group S.à.r.l. ('SCP Group', Luxembourg), controlled by: (i) joint stock financial corporation Sistema (Russia), ultimately controlled by Mr. Vladimir Evtushenkov and (ii) Mr. Felix Evtushenkov (Russia),

— '*real*' business ('*real Group*', Germany), controlled by METRO AG (Germany).

SCP acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the *real Group*. The concentration is accomplished by way of purchase of shares and assets.

2. The business activities of the undertakings concerned are:

— for SCP Group: real estate-based investments and advisory services,

— for the *real Group*: food and non-food retail supply by means of 276 hypermarkets in Germany and an online marketplace, as well as meat-processing ('Meister feines Fleisch - feine Wurst GmbH') and digital payment services.

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.

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.9703 — SCP/Real

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
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([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.