C/2023/300

18.10.2023

Prior notification of a concentration

(Case M.11167 – ALIMENTATION COUCHE-TARD / TOTALENERGIES (BELGIUM – LUXEMBOURG – GERMANY))

Candidate case for simplified procedure

(Text with EEA relevance)

(C/2023/300)

1. On 9 October 2023, 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:

— Alimentation Couche-Tard Inc. ('Couche-Tard', Canada),

— TotalEnergies SE ('TotalEnergies', France).

Couche-Tard will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the retail service stations operated by TotalEnergies in Belgium, Germany, Luxembourg, and the Netherlands (the 'Target Business').

The concentration is accomplished by way of purchase of shares.

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

— Couche-Tard operates retail service stations, including by issuing fuel cards. Couche-Tard is primarily active in Canada and the United States, and to a lesser extent in the EEA,

— The Target Business includes service stations in Belgium, Luxembourg, Germany, the Netherlands, and the related fuel cards activity.

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 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.

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.11167 – ALIMENTATION COUCHE-TARD / TOTALENERGIES (BELGIUM – LUXEMBOURG – GERMANY)

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

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

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

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