Prior notification of a concentration

(Case M.11114 – SWOCTEM / KLÖCKNER)

Candidate case for simplified procedure

(Text with EEA relevance)

(2023/C 317/11)

1. On 31 August 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:

— SWOCTEM GmbH ('SWOCTEM', Germany), controlled by Prof. Dr.-Ing. E.h. Friedhelm Loh,

— Klöckner & Co SE ('Klöckner', Germany).

SWOCTEM will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Klöckner.

The concentration is accomplished by way of purchase of shares.

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

— SWOCTEM is is a holding company solely owned and controlled by Prof. Dr.-Ing. E.h. Friedhelm Loh who also owns and controls the Friedhelm Loh Group. The Friedhelm Loh Group comprises a portfolio of companies active across a range of sectors, including among others Stahlo, an operator of steel service centers in Germany,

— Klöckner is is primarily active in the stockholding distribution of steel (including stainless steel), aluminium, plastic and other industrial products as well as operating steel service centres and oxy-cutting centres.

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 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.11114 – SWOCTEM / KLÖCKNER

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 366, 14.12.2013, p. 5.

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË