Prior notification of a concentration

(Case M.9649 — TSR Recycling/Sims Metal Management (Certain recycling assets))

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 56/07)

1. On 10 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:

— TSR Recycling GmbH & Co. KG and TSR Recycling Holding GmbH (together 'TSR Recycling', Germany), belonging to the Remondis group (Germany), which is ultimately controlled by Rethmann SE & Co. KG (Germany),

— Mirec B.V. (Netherlands), Sims M+R GmbH (Germany), Sims Recycling Solutions AB (Sweden), Sims Recycling Solutions Austrian Holdings GmbH (Austria) (together the 'Target Companies'), all belonging to Sims Metal Management Limited (US).

TSR Recycling acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the Target Companies.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— TSR Recycling: trading and processing of secondary raw material for steel producers and the foundry industry. TSR Recycling collects, stores and processes metal and electronic scrap. TSR Recycling also offers waste disposal and environmental services. TSR Recycling operates recycling facilities in Germany and across Europe,

— Target Companies: electronic recycling and processing of metal mixtures from different recycling processes. The Target Companies operate facilities in Bergkamen (Germany), Eindhoven (Netherlands), Sint Niklaas (Belgium), Mullendorf (Austria) and Katrinenholm (Sweden).

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.9649 — TSR Recycling/Sims Metal Management (Certain recycling assets)

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

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Fax +32 22964301

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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.