EUROPEAN COMMISSION

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PUBLIC VERSION

APMH Invest A/S
Esplanaden 50
Copenhagen K, 1263
Denmark

Subject: **Case M.10117 – A.P. MOLLER / APMH INVEST / FAERCH GROUP**
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 14 January 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which APMH Invest A/S (Denmark), ('APMHI'), a wholly-owned subsidiary of A.P. Møller Holding A/S (Denmark), ('APMH') acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Faerch Group A/S (Denmark), ('Faerch'). The concentration is accomplished by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for APMHI: fund management focussing on shipping, oil exploitation and land based industries. APMHI is solely controlled by APMH, the controlling shareholder of A.P. Møller-Maersk A/S group, an integrated transport and logistics company.

   – for Faerch: manufacture and distribution of plastic packaging for the food industry, including different thermoformed plastic trays in all major plastic resins, mainly serving the European marketplace for ready meals, cold food and snacks and fresh meat.

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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 24, 22.01.2021, p. 36–37.

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(b) 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.