Prior notification of a concentration

(Case M.10270 — SMO PSA/CDC/Swissterminal/Euro Rhein Ports JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2021/C 193/06)

1. On 11 May 2021, 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:

— Syndicat Mixte pour la Gestion des Ports du Sud Alsace ('SMO PSA', France),

— Caisse des Dépôts et Consignations ('CDC', France),

— Swissterminal AG ('Swissterminal', Switzerland),

— Ports of Huningue-Village-Neuf, of Ottmarsheim and of Ile Napoléon ('Ports de Mulhouse-Rhin', France).

SMO PSA, CDC and Swissterminal acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over Ports de Mulhouse-Rhin through a newly created joint venture known as Euro Rhein Ports, France.

The concentration is accomplished by way of a concession agreement.

2. The business activities of the undertakings concerned are:

— for SMO PSA: public establishment grouping French local authorities and public entities with authority over Ports de Mulhouse-Rhin,

— for CDC: French special status public establishment active in public service and open-market business activities in support of the general interest and France's economic development,

— for Swissterminal: provider of container handling services and freight services from terminals located in the Basel and Zürich area, Switzerland,

— Euro Rhein Ports: operation of the Ports de Mulhouse-Rhin by means of a thirty-year delegation from SMO PSA.

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.10270 — SMO PSA/CDC/Swissterminal/Euro Rhein Ports JV

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

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

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