EUROPEAN COMMISSION

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PUBLIC VERSION

Schmitz Cargobull AG
Bahnhofstraße 22
48612 Horstmar
Germany

Subject: **Case M.12490 – SCHMITZ CARGOBULL / BERGER FAHRZEUGTECHNIK**
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 29 September 2026, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, and following a referral pursuant to Article 4(5) of the Merger Regulation, by which Schmitz CargoBull AG ('SCB', Germany) will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Berger Fahrzeugtechnik Ges.m.b.H. ('BFZT', Austria), which SCB currently jointly controls together with Berger Transport GmbH, the latter ultimately controlled by Mr Gerhard Berger (Austria). The concentration is accomplished by way of purchase of shares. ([3])

(2) The business activities of the undertakings concerned are the following:

– SCB is mainly active in the production and sale of road transport equipment as well as related products and services in Europe,

– BFZT is mainly active in the production and sale of lightweight road transport equipment in Europe.

([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]) OJ C, C/2026/5188, 7.10.2026.

(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(e) of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004. ([4])

(4) For the reasons set out in the Notice on a simplified treatment, 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)
Anthony WHELAN
Director-General
Directorate-General for Competition

([4]) OJ C 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').