Prior notification of a concentration

(Case M.10992 – KAUFLAND / SCP REAL ASSETS)

(Text with EEA relevance)

(2023/C 51/05)

1. On 1 February 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:

— Kaufland Immobilien GmbH & Co. KG ('Kaufland', Germany), controlled by SB Kaufland KG ('Kaufland Group', Germany), which is part of the Schwarz Group,

— Real estate properties in Cologne, Staßfurt and Waiblingen (referred to collectively as 'SCP Real Assets', Germany), each controlled by SCP Retail Properties A XII s.à r.l., SCP Retail Properties C XII s.à r.l. and SCP Retail Properties C XXII s.à r. l., each part of the SCP Group controlled by Ms Marjorie Brabet-Friel.

Kaufland will acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of SCP Real Assets.

The concentration is accomplished by way of purchase of assets.

2. The business activities of the undertakings concerned:

— The Schwarz Group operates mainly in food retail, through the Kaufland and Lidl chains. The Schwarz Group also produces soft drinks, baked goods, ice-cream, pasta and coffee, and is active in the collection, distribution and marketing of recyclable materials. The Schwarz Group has also recently started to offer cloud services,

— SCP Real Assets are real estate properties in Cologne, Staßfurt and Waiblingen in Germany which are used to house Real supermarkets. The SCP Group invests and/or consults primarily in the real estate sector, including the rental and management of commercial premises in Germany.

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.

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.10992 – KAUFLAND / SCP REAL ASSETS

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

Postal address:

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

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').