V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.8510 — Robert Tönnies/Clemens Tönnies/Zur Mühlen Group and Asset Group)

Candidate case for simplified procedure

(Text with EEA relevance)

(2017/C 186/09)

1. On 2 June 2017, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]) by which the natural persons Clemens Tönnies and his nephew Röbert Tönnies acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over the whole of the Zur Mühlen ApS & Co KG ('Zur Mühlen Group', Germany) and the Zur Mühlen Holding III GmbH (formerly operating as Asset Verwaltungs GmbH), Heinrich Nölke GmbH & Co KG, Döllinghareico GmbH & Co KG, and Emslandhaus Fleischwaren GmbH (together referred to as 'Asset Group', Germany). Clemens and Robert Tönnies already jointly control the Tönnies Holding GmbH & Co. KG, Tönnies Holding-Unternehmensbeteiligung GmbH, Weidemark Fleischwaren Beteiligungsgesellschaft mbH, Tönnies Grundbesitz GmbH & Co. KG, and Tönnies Russland Agrar GmbH as well as their subsidiaries (together referred to as 'Tönnies Group', Germany).

2. The business activities of the undertakings concerned are:

— Clemens and Robert Tönnies jointly control the Tönnies Group which is is active in the field of slaughtering of pigs and cattle (as well as subsequent cutting and deboning of the meat), the sale of fresh meat, meat processing and exploitation of slaughterhouse waste, and provides related logistics services. Tönnies Group operates slaughterhouses in Germany, in Denmark, and in Poland. While the upstream slaughtering business constitutes the core of its activities, Tönnies also has meat processing facilities in Germany, the UK, Denmark, France, and Poland.

— Clemens Tönnies currently controls solely the Zur Mühlen Group, which is active in the processed meat sector and operates meat processing facilities in Germany and in Poland. Its product offering comprises a large number of processed meat products, the majority of which consist of pig meat, but also including products made of beef and poultry.

— Clemens Tönnies also controls solely or in parts jointly with his son Maximilian Tönnies the Asset Group, which is also active in the area of processed meat products. They operate meat processing facilities 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. 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 this Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

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

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference M.8510 — Robert Tönnies/Clemens Tönnies/Zur Mühlen Group and Asset Group, to the following address:

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