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Answer given by Executive Vice-President Ribera
on behalf of the European Commission
(20.2.2026)

Under Council Regulation (EC) 129/2004 ('EU Merger Regulation', 'EUMR'), the Commission has jurisdiction to review transactions that meet the turnover thresholds of Article 1 or that are referred to it (pursuant to Article 4(5)) or Article 22). Several transactions that involved Remondis were reviewed by the Commission in the past, and two cases were referred to the German competition authority pursuant to Article 4(4) and Article 9(3) EUMR.

The Commission will not make any comment on any individual concentration that it has not reviewed.

Beyond this, the Court of Justice confirmed in the *Towercast*¹ case (C-449/21), that it is possible for a national competition authority or a national court to find that a concentration falling under notification thresholds constitutes an abuse of dominance pursuant to Article 102 of the Treaty on the Functioning of the European Union. But this requires establishing that the acquirer was already dominant on a market prior to the concentration and carrying out a detailed analysis of all relevant legal and economic circumstances to determine whether the concentration substantially impedes competition.

The Commission is constantly monitoring the functioning of the markets in the EU with a view to detecting possible breaches of the competition rules. Sector inquiries are very resource-intensive and launched only when the Commission has credible indications that a market does not function properly, and that a competition issue could be a root cause.

¹ Case C-449/21, ECLI:EU:C:2023:207.