

***Case No COMP/M.2509 -
DOW / REICHHOLD /
JV***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 28/08/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28.08.2001

SG (2001) D/291121-22

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Madam(s) and/or Sir(s),

Subject: Case No. COMP/M.2509 Dow/Reichhold/JV
Notification of 27.07.2001 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C220,
07/08/2001

1. On 27.07.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings DOW Chemical Company ("DOW") and Reichhold, Inc. ("Reichhold") controlled by Dainippon Ink and Chemicals, Inc. ("DIC") acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertakings Dow Reichhold Specialty Latex LLC ("Dow Reichhold") by way of purchase of shares in a newly created company constituting a joint venture.

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

The business activities of the undertakings concerned are:

- for undertaking DOW: Integrated Producer of Chemicals
 - for undertaking Reichhold: Adhesives, coating resins, polyester resins and synthetic latex emulsions
 - for undertaking DIC: printing inks, thermosetting resins and organic pigments; polymers and related products; specialty plastics and compounds; building materials, pressure-sensitive adhesive materials and biochemicals
 - for undertaking Dow Reichhold: manufacture and sale of specialty latex,
2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph a of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
 3. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission

Viviane REDING
Member of the Commission
(Signed)

² OJ C 217, 29.07.2000, p. 32.