

***Case No COMP/M.3551 -
CD&R FUND VI /
CULLIGAN***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 15/09/2004

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.09.2004

SG-Greffe(2004) D/204031

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party via the legal
representative

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

**Subject: Case No. COMP/M.3551 – CD&R/Culligan
Notification of 13.8.2004 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 210,
20 August, page 2.**

1. On 13.8.2004, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertaking Clayton, Dubilier & Rice Fund VI Limited Partnership (“CD&R Fund VI”, USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Culligan Corporation (“Culligan”, USA) by way of purchase of shares.

The business activities of the undertakings concerned are:

- for undertaking CD&R Fund VI: private equity investment funds;
- for undertaking Culligan: provider of water treatment products and related services.

¹ OJ L 24, 29.1.2004 p. 1

2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph b of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No139/2004².
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 (EC) No. 139/2004.

For the Commission, signed
Mario MONTI
Member of the Commission

² Available on DG COMP website:
http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf.