

***Case No COMP/M.4899 -  
SCB / SÜD-CHEMIE***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 23/11/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.11.2007  
SG-Greffe(2007) D/207169

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

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

**Subject: Case No. COMP/M.4899 - SCB / SÜD-CHEMIE**  
**Notification of 19.10.2007 pursuant to Article 4 of Council Regulation (EC) No. 139/2004<sup>1</sup>**  
**Publication in the Official Journal of the European Union No. C 255 of 27.10.2007, page 47**

1. On 19.10.2007, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertaking SC-Beteiligungsgesellschaft mbH (SCB, Germany), finally controlled by JP Morgan Chase & Co. (JPMorgan Chase, USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Süd-Chemie AG (Süd-Chemie, Germany) by way of purchase of shares.

The business activities of the undertakings concerned are :

- for SCB: special purpose vehicle of JPMorgan Chase;
- for JPMorgan Chase: financial services;
- for Süd-Chemie: specialty chemicals.

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<sup>1</sup> 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 c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004<sup>2</sup>.
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  
Philip LOWE  
Director General

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<sup>2</sup> OJ C 56, 05.3.2005 p.32