

***Case No COMP/M.5326 -
PTT CHEMICAL / SIME
DARBY / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 21/10/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21/10/2008
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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.5326 - PTT CHEMICAL/ SIME DARBY/ JV
Notification of 18.09.2008 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 246,
27.09.2008, p.19**

- (1) On 18.09.2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which PTT Chemical Public Company Limited ('PTT Chemical', Thailand) and Sime Darby Plantation Sdn. Bhd., a wholly owned subsidiary of Sime Darby Berhad Plc. ('Sime Darby', Malaysia), which is controlled by Permodalan Nasional Berhad Group (Malaysia), belonging to Yayasan Pelaburan Bumiputra (Malaysia), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Cognis Olichemicals (M) Sdn. Bhd ('Cognis' Malaysia) by way of purchase of shares.

¹ OJ L 24, 29.1.2004, p. 1.

The business activities of the undertakings concerned are:

- for PTT Chemical Public Company Ltd.: manufacture of coke and refined petroleum products and manufacture of other chemical products;
 - for Sime Darby: palm oil plantation and production of palm oil, oil refining, production of oils and fats, oleochemicals and biodiesel, property development, motor distribution, sale and distribution and consultancy for agricultural, construction and mining equipments, energy and utilities activities; and
 - for Cognis: manufacture of other organic basic chemicals.
- (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(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.
- (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