

***Case No COMP/M.5775 -
JARDEN/ HOME AND
BABY CARE BUSINESS
OF TOTAL***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 26/03/2010

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EUROPEAN COMMISSION

Brussels, 26.03.2010
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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.5775 – JARDEN/ HOME AND BABY CARE BUSINESS OF TOTAL
Notification of 24.02.2010 pursuant to Article 4 of Council Regulation No 139/2004¹
Publication in the Official Journal of the European Union No C 54, 04.03.2010, p. 25

1. On 24.02.2010, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Jarden Corporation ("Jarden", USA) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertakings belonging to Home Care and Baby & Health Care business of Total SA ("Home and Baby Care Business of Total", consisting of: Financière Elysées Balzac SA, France; Baby Care Holding SAS, France; NUK USA, LLC, USA; Mapa GmbH, Germany; and Mapa Spontex (UK) Ltd., UK) by way of purchase of shares.

¹ OJ L 24, 29.1.2004, p. 1 (the "Merger Regulation"). With effect from 1 December 2009, Articles 81 and 82 of the EC Treaty have become Articles 101 and, 102, respectively, of the Treaty on the Functioning of the European Union ("TFEU"). The two sets of provisions are, in substance, identical. For the purposes of this Decision, references to Articles 101 and 102 of the TFEU should be understood as references to Articles 81 and 82, respectively, of the EC Treaty where appropriate. The TFEU also introduced certain changes in terminology, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this Decision.

2. The business activities of the undertakings concerned are:
 - Jarden: provider of a range of consumer products including outdoor equipment, household products, home equipment, and producer of various plastic products;
 - Home and Baby Care Business of Total: provider of home care products and baby and health care products.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation No 139/2004².
4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

For the Commission
(signed)
Alexander ITALIANER
Director General

² OJ C 56, 05.3.2005, p. 32 ("Notice on a simplified procedure").