

***Case No COMP/M.2354 -  
ENICHEM / POLIMERI***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 06/04/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06/04/2001  
SG (2001) D/ 287581

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

**To the notifying party:**

**Subject: Case No. COMP/M.2354 - ENICHEM / POLIMERI**  
**Notification of 8.03.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup>**  
**Publication in the Official Journal of the European Communities No. C 86/4 of 16/03/2001**

1. On 8.03.2001 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the Italian company, EniChem S.p.A. ("EniChem"), belonging to the ENI Group, acquires within the meaning of Article 3(1)(b) of the Council Regulation, by way of an exchange of businesses, sole control of the whole of the Italian company, Polimeri Europe S.r.l. ("Polimeri"), which it has jointly-controlled up to the present with the Dow Chemical Company ("DOW") as a 50:50 joint venture.

The business activities of the undertakings concerned are :

- EniChem : development, production and sale of chemicals products;
- Polimeri : production and sale of polyethylene resins.

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<sup>1</sup> 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.

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,(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<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 (EEC) No. 4064/89.

For the Commission,

**(Signed)**

M. MONTI

Member of the Commission

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<sup>2</sup> OJ C 217, 29.07.2000, p. 32.