

***Case No COMP/M.3154 -
SÜD-CHEMIE / SABIC /
SCIENTIFIC DESIGN
JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 12/05/2003

*Also available in the CELEX database
Document No 303M3154*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12/05/2003

SG (2002) D/229663

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

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

**Subject: Case No. COMP/M.3154 – Süd-Chemie/SABIC/Scientific Design JV
Notification of 03.04.2003, pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 88,
11.04.2002, page 15.**

1. On 03.04.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings Süd-Chemie AG (“SC”, Germany) and Saudi Basic Industries Corporation (“SABIC”, Saudi Arabia) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Scientific Design Company, Inc. (“SD”, USA), currently controlled by the German company Linde AG, by way of purchase of shares and assets.

The business activities of the undertakings concerned are :

- for SC : manufacture and sale of chemicals including catalysts,
- for SABIC : manufacture and sale of chemicals,

¹ 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.

- for SD : licensing of technologies and manufacture of products to the chemical industry and related engineering services.

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 (a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
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

Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.