

***Case No COMP/M.3257 -  
VESTAR CAPITAL  
PARTNERS / FL  
SELENIA***

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: 19/09/2003

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19/9/2003

SG (2003) D/231870

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

**To the notifying party**

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

**Subject: Case No. COMP/M.3257 – Vestar Capital Partners/FL Selenia  
Notification of 19.08.2003 pursuant to Article 4 of Council Regulation (EEC)  
No. 4064/89<sup>1</sup>  
Publication in the Official Journal of the European Union No. C203 of  
28/8/2003, page 7.**

1. On 19.08.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertaking Vestar Capital Partners, Inc (“Vestar”, USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking FL Selenia S.p.A. (“FL Selenia”, Italy) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
  - for Vestar : private equity firm;
  - for FL Selenia : manufacture and sale of automotive and industrial lubricants, functional fluids for automobiles and industrial vehicles etc. and replacement parts for vehicles.

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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.

3. 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, subparagraph b, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>2</sup>.
4. 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,*  
Mario MONTI  
Member of the Commission

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