

***Case No COMP/M.3323 -
CARDINAL HEALTH /
INTERCARE GROUP***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/12/2003

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.12.2003

SG (2003) D/233530

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

Dear Sir/Madam,

**Subject: Case No. COMP/M.3323 – Cardinal / Intercare
Notification of 14.11.2003 pursuant to Article 4 of Council Regulation
(EEC) No. 4064/89¹, as last amended by Regulation (EC) No 1310/97²
Publication in the Official Journal of the European Union No. C 280,
21.11.2003, page 9**

1. On 14.11.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertaking Cardinal, Inc. ('Cardinal', USA) acquires, within the meaning of Article 3(1)(b) of the Regulation, control of the whole of the undertaking The Intercare Group plc ('Intercare', United Kingdom) by way of public bid announced on 29 October 2003.
2. The business activities of the undertakings concerned are:
 - Cardinal: manufacture, sale and distribution of medical and surgical products; contract manufacture of pharmaceutical products,
 - Intercare: manufacture, contract manufacture and distribution of pharmaceuticals in the EEA.

¹ OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

² OJ L 180, 9. 7. 1997, p. 1; corrigendum 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 c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89³.
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
Mario MONTI, signed
Member of the Commission

³ OJ C 217, 29.07.2000, p. 32.