

***Case No COMP/M.3478 -
RIVR / PETROPLUS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 01/09/2004

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

Brussels, 01/09/2004

SG-Greffe(2004) D/203867

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

Dear Madam(s) and Sir(s),

Subject: Case No. COMP/M.3478 – RIVR/Petroplus

Notification of 30/07/2004 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹

Publication in the Official Journal of the European Communities No. C 200, 07.08.2004, page 3

1. On 30/07/2004, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertaking RIVR Acquisition BV (“RIVR”, the Netherlands) controlled by Carlyle Group, acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Petroplus (the Netherlands), by way of public tender offer.
2. The business activities of the undertakings concerned are:
 - RIVR/Carlyle Group: private equity investments through various funds. RIVR is a special purpose vehicle controlled by Carlyle group.
 - Petroplus : specializing in refining and marketing of refined oil products.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Regulation (EC) No 139/2004 and of paragraph 5,

¹ OJ L 24, 29.1.2004 p. 1.

subparagraph b of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No139/2004².

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 (EC) No. 139/2004.

For the Commission, signed,
Mario MONTI
Member of the Commission

² Available on DG COMP website:
http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf