

***Case No COMP/M.3598 -
REPSOL / BOREALIS
POLÍMEROS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 19/11/2004

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.11.2004

SG-Greffe(2004) 205318

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

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

**Subject: Case No. COMP/M. 3598 – Repsol Química / Borealis Polímeros
Notification of 19.10.2004 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C265 of
28.10.2004, page 2.**

1. On 19.10.2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Repsol Química S.A. (“Repsol”, Spain), belonging to the Spanish group Repsol YPF, acquire within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Borealis Polímeros Lda. (“Borealis”, Portugal) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for undertaking Repsol: production and sale of petroleum products and petrochemicals, including oleofins and polyolefins.
 - for undertaking Borealis: production of thermoplastics and petrochemical feedstock, in particular olefins and polyolefins.

¹ OJ L 24, 29.1.2004 p. 1

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph c (i) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) 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.