

***Case No COMP/M.3759 -  
SABANCI/DUSA***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 25/04/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.04.2005

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PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Sirs,

**Subject: Case No. COMP/M.3759-Sabancı / DUSA**  
**Notification of 16.03.2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004<sup>1</sup>**  
**Publication in the Official Journal of the European Union No. C 77, date 31.03.2005, page 31.**

1. On 16/03/05, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Haci Ömer Sabancı Holding A.S. ("Sabancı Holding", Turkey) belonging to the Sabancı group ("Sabancı group", Turkey) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking DuPont-Sabancı International LLC ("DUSA", USA) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for Sabancı Holding: Holding company of Sabancı group,
  - for Sabancı group : Conglomerate active in various industries, including chemicals and fibres,
  - for DUSA: Manufacture, marketing and sale of various industrial nylon products.

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<sup>1</sup> 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 (d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004<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 (EC) No. 139/2004.

For the Commission

signed  
Neelie KROES  
Member of the Commission

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<sup>2</sup> OJ C 56, 05.3.2005 p.32