

***Case No COMP/M.4326 -
BC PARTNERS /
BRENNTAG***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 31/08/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 31-08-2006

SG-Greffe(2006) D/204906

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.4326 – BC Partners/ Brenntag
Notification of 31/7/2004 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 184 of
08/08/2006, page 3.**

1. On 31/7/2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking BC Funds (“BC Funds”, Guernsey) managed by CIE Management II Limited (CIEM), a company ultimately controlled by BC Partners Holdings Limited acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Brenntag Investor Holding GmbH (“Brenntag”, Germany) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for CIEM: general manager of BC Funds.
 - for BC Funds: private equity funds.

¹ OJ L 24, 29.1.2004 p. 1

- for Brenntag: worldwide processing, storage, trading and distribution of chemical substances.
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 (b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
 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)
Philip LOWE

² OJ C 56, 05.3.2005 p.32