

***Case No COMP/M.4437 -
SUN GROUP /
AUTOBAR PACKAGING***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 01/12/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 01.12.2006

SG-Greffe(2006) D/207337

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.4437 – Sun Group / Autobar Packaging : Notification of 25/10/2006 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹ Publication in the Official Journal of the European Union No. C 268, 04.11.2006 – page 23

1. On 25.10.2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Sun Group (“Sun Group”, USA), through a number of newly formed acquisition vehicles, acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the Autobar Packaging Business (“the Business”) of Acorn Netherlands Z B.V. (“Acorn”, the Netherlands) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Sun Group: management of private equity investment funds
 - for the Business : manufacture of disposable, flexible and rigid packaging products

¹ OJ L 24, 29.1.2004 p. 1

- for Acorn: holding company of the Business.
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
Director General

² OJ C 56, 05.3.2005 p.32