

***Case No COMP/M.5119 -  
DOW / CP CHEM /  
AMERICAS STYRENICS  
JV***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 25/04/2008

***In electronic form on the EUR-Lex website under document  
number 32008M5119***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25/04/2008  
SG-Greffe(2008) D/201946

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.5119 - DOW / CP CHEM / AMERICAS STYRENICS JV  
Notification of 26 March 2008 pursuant to Article 4 of Council Regulation (EC)  
No. 139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C084 of 3 April  
2008, page 18.**

1. On 26 March 2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings The Dow Chemical Company ("Dow", US) and Chevron Phillips Chemical Company LP ("Chevron", US) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Americas Styrenics LLC ("the JV", US) by way of purchase of shares in a newly created company constituting a joint venture.
2. 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 a of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004<sup>2</sup>.
3. 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

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<sup>1</sup> OJ L 24, 29.1.2004 p. 1

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

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 by*  
Philip LOWE  
Director General