

***Case No COMP/M.6118 -
BAIN CAPITAL
INVESTORS/ IMCD***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/02/2011

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EUROPEAN COMMISSION

Brussels, 16.2.2011
SG-Greffe(2011) D/2265
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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6118 – BAIN CAPITAL INVESTORS/ IMCD
Notification of 12.01.2011 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 19, 20.01.2011,
p.10**

1. On 12 January 2011, the European Commission received a notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Bain Capital Investors LLC ("Bain Capital Investors", United States) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of IMCD Holding B.V. and its subsidiaries ("IMCD", Kingdom of the Netherlands), by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Bain Capital Investors: private equity investment firm;

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

- for IMCD: distribution of specialty chemicals (including food and pharmaceutical ingredients).
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(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 European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

For the Commission
(signed)
Alexander ITALIANER
Director General

² OJ C 56, 5.3.2005, p. 32.