

***Case No COMP/M.6297 -
SEALED AIR / DHI***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 02/08/2011

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EUROPEAN COMMISSION

Brussels, 02.08.2011
C(2011) 5712

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party

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

**Subject: Case No COMP/M.6297 – SEALED AIR / DHI
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 30.06.2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Sealed Air Corporation ('Sealed Air', USA) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Diversey Holdings Inc. ('DHI', USA) by way of purchase of securities.
2. The business activities of the undertakings concerned are:
 - for undertaking Sealed Air: mainly active in the supply of a wide range of packaging and performance based materials and equipment systems that serve an array of food, industrial, medical and consumer applications,

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 undertaking DHI: mainly active in the supply of cleaning, hygiene and sanitising products, equipment and related services².
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 139/2004³.
 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 Publication in the Official Journal of the European Union No C 200, 08.07.2011, p.13.

³ OJ C 56, 5.3.2005, p. 32 ("Note on a simplified procedure").