

***Case No COMP/M.6374 -
BRASKEM/ DOW
POLYPROPYLENE BUSINESS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 28/09/2011

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EUROPEAN COMMISSION

Brussels, 28/09/2011
C(2011)7073

SIMPLIFIED MERGER
PROCEDURE

PUBLIC VERSION

To the notifying party

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

**Subject: Case No COMP/M.6374 - Braskem/ Dow Polypropylene Business
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 26 August 2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Braskem America, Inc ("Braskem", United States), controlled by Braskem S.A (Brazil), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the polypropylene business of Dow Chemical Company ("Dow polypropylene business", United States) by way of purchase of assets.

The business activities of the undertakings concerned are:

- for Braskem: production and sale of polypropylene predominantly in the United States.
 - for Dow polypropylene business: supply of polypropylene resins².
2. 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(c)(i)

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.

² OJ C 263, 7.9.2011, p. 27.

of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.

3. 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

³ OJ C 56, 5.3.2005, p. 32.