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***Case No COMP/M.6445 -
EUROCHEM / BASF
ANTWERP ASSETS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 17/02/2012

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EUROPEAN COMMISSION

Brussels, 17.2.2012
C(2012) 1171

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party

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

**Subject: Case No COMP/M.6445 - EUROCHEM/BASF ANTWERP ASSETS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 20 January 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking EuroChem International Holding B.V. ("EuroChem BV", The Netherlands), controlled by EuroChem Group SE ("EuroChem SE", Cyprus), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of certain fertiliser assets currently controlled by BASF Antwerpen N.V. ("BASF Antwerp Assets", Belgium) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - for EuroChem SE: mining of minerals for fertilisers and the manufacture and sale of fertilisers,
 - for BASF Antwerp Assets: manufacture of mineral field fertilisers.

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 Publication in the Official Journal of the European Union No C 23, 28.1.2012, p. 35.

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(c) 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

³ OJ C 56, 5.3.2005, p. 32.