

EN

***Case No COMP/M.6511 -
SOLVAY / AIR LIQUIDE
/ JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 12/06/2012

***In electronic form on the EUR-Lex website under document
number 32012M6511***



EUROPEAN COMMISSION

Brussels, 12.06.2012
C(2012) 4081

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

**Subject: Case No COMP/M.6511 SOLVAY/AIR LIQUIDE/JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 2 May 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Solvay SA ("Solvay", Belgium) and Air Liquide International ("Air Liquide", France) acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of a newly created company constituting a joint venture ("the JV", Belgium) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - Solvay is the parent of a group of companies which are internationally active in the research, development, production, marketing and sale of chemicals and plastics,
 - Air Liquide is active in the production and supply of industrial gases and the supply of associated services to various industries,

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 136, 11.5.2012, p. 10.

- the JV will finance, build, operate and service Fluorine gas production facilities located on or adjacent to a customer site for the supply of F2 by pipeline to customers in the photovoltaic industry and the flat panel display industry mainly located in Asia.
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(a) 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.