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***Case No COMP/M.6517 -
THE KLESCH GROUP /
ARKEMA'S VINYL
PRODUCTS BUSINESS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 20/06/2012

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EUROPEAN COMMISSION

Brussels, 20.6.2012
C(2012) 4306 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6517-THE KLESCH GROUP / ARKEMA'S VINYL PRODUCTS BUSINESS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 21 May 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Klesch Group Limited, controlled by the Klesch Group ("The Klesch Group", Malta) acquires within the meaning of Article 3(1)(b) of the Merger Regulation² control of the whole of Arkema's Vinyl Products business by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for the Klesch Group: oil refining and aluminum,

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 L 24, 29.1.2004, p. 1 (the "Merger Regulation")

- for Arkema's Vinyl Products Business: the production of chlorine and chlorinated derivatives, caustic soda, polyvinyl chloride (PVC) subdivided into emulsion PVC and suspension PVC, pipes, compounds and profiles³.
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) ii of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004⁴.
 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 Publication in the Official Journal of the European Union No C 152, 30.5.2012, p. 25.

⁴ OJ C 56, 5.3.2005, p. 32.