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Case No COMP/M.7041 - CLARIANT / TASNEE / JV

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 17/01/2014

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EUROPEAN COMMISSION

Brussels, 17.1.2014
C(2014) 333 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Madam/Sir,

**Subject: Case No COMP/M. 7041 - CLARIANT / TASNEE / JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 6 December 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Clariant Participations Limited, a wholly-owned subsidiary of Clariant AG ("Clariant", Switzerland), and Rowad National plastic Co. Ltd, a wholly-owned subsidiary of National Industrialisation Company ("Tasnee", Saudi Arabia), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of Clariant Masterbatches Limited ("CMBSA", Saudi Arabia), by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - Clariant: production and distribution of specialty chemicals globally;
 - Tasnee: building, management, operation and ownership of petrochemical, chemical, plastic, engineering and metal projects as well as provision of industrial services globally;
 - CMBSA: production and distribution of masterbatches primarily to customers on the Arabian Peninsula².

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 366, 14.12.2013, p. 36.

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) and 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 366, 14.12.2013, p. 5.