

Case No COMP/M.7287 - CD&R FUND IX/ MAUSER

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 08/07/2014

***In electronic form on the EUR-Lex website under document
number 32014M7287***



EUROPEAN COMMISSION

Brussels, 8.7.2014
C(2014) 4945 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party

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

**Subject: Case M.7287 - CD&R FUND IX/ MAUSER
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹**

1. On 5 June 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Clayton, Dubilier & Rice Fund IX, L.P. ("CD&R Fund IX", USA) intends to acquire within the meaning of Art. 3(1)(b) of the Merger Regulation sole control of the undertaking Mauser Holding GmbH ("Mauser", Germany), by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - for CD&R Fund IX: private equity investment;
 - for Mauser: mainly active in the production and sale of rigid industrial packaging products.
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(b) of

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 186, 18.6.2014, p. 11.

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.