

EN

***Case No COMP/M.7552 -
MITSUI CHEMICALS /
SK HOLDINGS / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 30/04/2015

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EUROPEAN COMMISSION

Brussels, 30.4.2015
C(2015) 3088 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Sirs,

**Subject: Case M.7552 - MITSUI CHEMICALS / SK HOLDINGS / JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

1. On 1 April 2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking(s) Mitsui Chemicals, Inc ("**MCI**", Japan) and SKC Co, Ltd ("**SKC**", South Korea) belonging to the group SK Holdings Co., Ltd (South Korea) acquire(s) within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control by way of purchase of shares in a newly created company constituting a joint venture.³
2. The business activities of the undertakings concerned are:
 - for MCI : MCI is a Japanese chemicals company organised into six business sectors: (i) Functional Chemicals, which includes medical materials, agrochemicals and nonwoven fabrics; (ii) Functional Polymeric Materials, which includes elastomers and polymer products; (iii) Polyurethane; (iv) Basic Chemicals, which includes toluene, phenols, purified terephthalic acid, PET resin and industrial chemicals; (v)

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 1, 3.1.1994, p. 3 ("the EEA Agreement").

³ Publication in the Official Journal of the European Union No C 120, 15.04.2015, p. 4.

Petrochemicals and (vi) Films and Sheets for packaging, protective and adhesive purposes.

- for SKC: SKC is active in the production and sale of certain chemicals (e.g., propylene oxide, propylene glycols, toluene and polyols) and films (optical film used in LCD and lenses, heat shrinkable polyester film as well as PET and PVDF film and EVA sheet for solar light applications).
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 139/2004.⁴
 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 and Article 57 of the EEA Agreement.

For the Commission

(signed)

*Alexander ITALIANER
Director-General*

⁴ OJ C 366, 14.12.2013, p. 5.