

Case No COMP/M.7693 - APOLLO/ VERALLIA GROUP

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 29/07/2015

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EUROPEAN COMMISSION

Brussels, 29.07.2015
C(2015) 5498 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

Dear Sirs,

Subject: Case M.7693 - APOLLO/ VERALLIA GROUP
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 6 July 2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Horizon Holdings III S.A.S. (United Kingdom), controlled by investment funds managed by Apollo Management, L.P. (USA), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertakings Saint-Gobain Emballage S.A. (France), Saint-Gobain Vicasa S.A. (Spain), Saint-Gobain Vidros S.A. (Brazil) and Obale S.A.S. (France) which together form the speciality glass packaging activities of Compagnie de Saint-Gobain S.A. "Verallia" by way of purchase of shares.³

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 229, 14.7.2015, p. 14.

2. The business activities of the undertakings concerned are:
 - Apollo Management, L.P. invests in companies and debt issued by companies involved in various businesses throughout the world, for example in the chemical, financial services, and media industries;
 - Verallia manufactures and supplies glass bottles and jars for the food and beverage industries worldwide.
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 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.

⁴ OJ C 366, 14.12.2013, p. 5.

For the Commission
(Signed)
Alexander ITALIANER
Director-General