

Case No COMP/M.7728 - AMCOR/ SIDEL/ JV

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

Article 6(1)(b) NON-OPPOSITION
Date: 22/09/2015

***In electronic form on the EUR-Lex website under document
number 32015M7728***



EUROPEAN COMMISSION

Brussels, 22.9.2015
C(2015) 6607 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Sirs,

**Subject: Case M.7728 – AMCOR/ SIDEL/ 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 27 August 2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Amcor Group GmbH (Switzerland) belonging to the Amcor group and Sidel Participations SAS (France) controlled by Tetra Laval Group acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a joint venture consisting of an existing legal entity, DISCMA AG ("DISCMA", Switzerland) and a newly created entity, LiquiForm Group LLC ("LiquiForm", USA) by way of agreements.³
2. The business activities of the undertakings concerned are:
 - For Amcor : the manufacture and supply of rigid and flexible packaging products into the food, beverage, healthcare, home and personal care and tobacco industries;

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 290, 4.9.2015, p. 12.

- For Sidel : Sidel is part of the Tetra Laval Group, a privately held group of companies consisting of three industry groups: Tetra Pak, Sidel and DeLaval. Tetra Pak is active in food processing and packaging solutions. Its core business includes the sale of packaging and distribution solutions for food in carton packaging material. Sidel is a global provider of packaging equipment and solutions, in particular stretch blow moulding machinery for blowing PET plastic bottles and filling machines for plastic and glass bottles and cans. DeLaval is a full-service supplier to dairy farmers. The company develops, manufactures and markets equipment and complete solutions for milk production and animal husbandry worldwide;
 - For DISCMA and LiquiForm : commercialise a new technology for forming and filling polymer-based containers for consumables.
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)*

*Johannes LAITENBERGER
Director-General*

⁴ OJ C 366, 14.12.2013, p. 5.