



EUROPEAN COMMISSION  
DG Competition

***Case M.8176 - LINDSAY GOLDBERG / FLEXIBLES  
GROUP***

Only the English text is available and authentic.

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

---

Article 6(1)(b) NON-OPPOSITION  
Date: 19/09/2016

***In electronic form on the EUR-Lex website under document  
number 32016M8176***



EUROPEAN COMMISSION

Brussels, 19.09.2016  
C(2016) 6038 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

To the notifying party

Dear Sirs,

**Subject: Case M.8176 – LINDSAY GOLDBERG / FLEXIBLES GROUP  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

1. On 25 August 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Goldberg, Lindsay & Co., LLC ("Lindsay Group", USA) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the undertaking Schur Flexibles GmbH and its subsidiaries ("Flexibles Group", Germany) by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Lindsay Group: private equity investment firm managing a number of funds that own companies active in a variety of business sectors,
  - for Flexibles Group: private limited liability company active in the production and sale of flexible packaging products.

---

<sup>1</sup> 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.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 322, 2.9.2016, p. 5.

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.<sup>4</sup>
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*

---

<sup>4</sup> OJ C 366, 14.12.2013, p. 5.