



EUROPEAN COMMISSION  
DG Competition

*Case M.8336 -  
MITSUBISHI CHEMICAL  
HOLDINGS / MARUBENI /  
METRO PACIFIC  
INVESTMENTS / JV*

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 07/02/2017

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EUROPEAN COMMISSION

Brussels, 7.2.2017  
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PUBLIC VERSION

**To the notifying parties:**

**Subject: Case M.8336 - MITSUBISHI CHEMICAL HOLDINGS / MARUBENI / METRO PACIFIC INVESTMENTS / JV  
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>**

Dear Sir or Madam,

1. On 13 January 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings LSI Medience Corporation ("LSI", of Japan), a subsidiary of Mitsubishi Chemical Holdings Corporation, the holding company of the Mitsubishi Chemical group of companies; Marubeni Corporation ("Marubeni", of Japan), and Metro Pacific Hospital Holdings, Inc. ("MPHHI", of the Philippines), a subsidiary of Metro Pacific Investments Corporation ("MPIC"), acquire within the meaning of Article 3(4) of the Merger Regulation joint control of a joint venture providing clinical laboratory services and clinical reagents to hospitals in the Philippines by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - LSI: provider of various medical services worldwide (primarily, in Japan) including clinical testing; the development and provision of in-vitro diagnostic reagents and instruments; drug development support services; food sanitation analysis services and antidoping testing services. The wider Mitsubishi Chemical Group provides various performance products, industrial materials and healthcare products worldwide (primarily in Japan).

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<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 019, 20.01.2017, p. 4.

- Marubeni: wholesale provider of a range of industrial and consumer goods – specifically, food and consumer products; chemical and forest products; energy and metals; power projects and plants; transportation and industrial machinery.
  - MPHHI: investment and management holding firm which invests in and operates (through its subsidiaries) real estate and infrastructure projects in the Philippines. MPHHI is part of MPIC’s hospital operations unit, operating and managing hospitals in the Philippines.
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) and 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*

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