



EUROPEAN COMMISSION  
DG Competition

***Case M.8946 - LINDSAY  
GOLDBERG / COVERIS  
RIGID***

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: 17/07/2018

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## EUROPEAN COMMISSION

Brussels, 17.7.2018  
C(2018)4819 final

PUBLIC VERSION

### To the notifying party

**Subject: Case M.8946 — Lindsay Goldberg/Coveris Rigid  
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 25 June 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Goldberg, Lindsay & Co., LLC ('Lindsay Goldberg', USA) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the rigid plastic packaging business of Coveris Group ('Coveris Rigid', Germany/Luxembourg), consisting of Coveris International Holdings S.À.R.L., Coveris Rigid Deutschland GmbH and Coveris Rigid (Ravensburg) Deutschland GmbH (and their respective subsidiaries) by way of a purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Lindsay Goldberg: private equity investment firm with 16 portfolio companies, none of which is active in the production and supply of rigid plastic packaging products in the EEA,
  - for Coveris Rigid: production and sale of rigid plastic packaging solutions such as pots and containers, trays, closures, lids, and sheets, based on different materials for use in various downstream industry sectors.

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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 234, 5.7.2018, p. 6.

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(c) 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.