



EUROPEAN COMMISSION  
DG Competition

***Case M.10408 - AIP / ALVANCE DUFFEL  
TARGET BUSINESS***

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: 18/08/2022

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## EUROPEAN COMMISSION

Brussels, 18.8.2022  
C(2022) 6077 final

### **PUBLIC VERSION**

AIPCF VII (Cayman) Ltd.,  
450 Lexington Avenue,  
40th Floor,  
New York, NY 10017  
United States of America

**Subject: Case M.10408 - AIP / ALVANCE DUFFEL TARGET BUSINESS  
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 26 July 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertaking American Industrial Partners Capital Fund VII, Ltd. (Cayman), an investment fund managed by American Industrial Partners (USA) (collectively referred to as 'AIP'), will acquire within the meaning of Article 3(1)(b), sole control over the whole of the undertaking ALVANCE Aluminium Duffel (Belgium), by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are the following:
  - AIP is a private equity firm focused on buying and improving industrial businesses. Since 2020, AIP owns Commonwealth Rolled Products, which operates an aluminium rolled products facility with activities in the United States. AIP also owns and controls since 2021 Aluminium Dunkerque, a primary aluminium producer, which operates an aluminium smelter in Loon-Plage near Dunkerque (France),
  - ALVANCE Aluminium Duffel is a European producer of aluminium flat rolled products ('FRPs'). It operates an aluminium plant in Belgium, which produces

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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 296, 3.8.2022, p. 4.

aluminium automotive body sheets ('ABS'), FRPs for heat exchangers ('HEX'), and standard FRPs such as industrial aluminium coil and sheet products used in building and construction, commercial transportation and other standard.

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)*  
*Olivier GUERSENT*  
*Director-General*

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