EUROPEAN COMMISSION

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PUBLIC VERSION

BioMarin Pharmaceutical Inc.
105 Digital Drive
Novato, CA 94949
United States

Subject: **Case M.12314 – BIOMARIN PHARMACEUTICAL / AMICUS THERAPEUTICS**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004 ([1]) and Article 57 of the Agreement on the European Economic Area ([2])

Dear Sir or Madam,

(1) On 10 March 2026, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation following a referral pursuant to Article 4(5) of the Merger Regulation, by which BioMarin Pharmaceutical Inc. ("BioMarin", United States), will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over Amicus Therapeutics Inc. ("Amicus", United States) by way of purchase of shares. ([3])

(2) The business activities of the undertakings concerned are the following:

– BioMarin (Nasdaq: BMRN) is a global biotechnology company engaged in the research, development, manufacturing and commercialisation of pharmaceutical products for the treatment of several rare genetic diseases such as CLN2 (Batten) disease and Morquio A syndrome,

– Amicus (Nasdaq: FOLD) is a global biotechnology company specialising in the development and commercialisation of therapies for rare diseases, including Fabry disease and Pompe disease.

(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

([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]) OJ C, C/2026/1745, 17.3.2026.

paragraph 5(c) of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004. ([4])

(4) For the reasons set out in the Notice on a simplified treatment, 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)
Linsey MCCALLUM
Director-General (acting)
Directorate-General for Competition

([4]) OJ C 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').