PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9311 — Berry/RPC)

Candidate case for simplified procedure

(Text with EEA relevance)

(2019/C 125/05)

1. On 27 March 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— Berry Global Group, Inc. ('Berry', United States of America),

— RPC Group Plc ('RPC', United Kingdom).

Berry acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of RPC.

The concentration is accomplished by way of purchase of shares, by means of a court-sanctioned scheme of arrangement.

2. The business activities of the undertakings concerned are:

— for Berry: manufacture of plastic packaging, non-woven specialty materials and engineered materials,

— for RPC: manufacture of plastic products, including packaging and non-packaging.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9311 — Berry/RPC

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
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([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.