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Sahara International Petrochemical Company
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Saudi Arabia

Subject: **Case M.10151 - LINDE / SIPCHEM / JV**
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 18 February 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Linde GmbH ('Linde', Germany) and Sahara International Petrochemical Company ('Sipchem', Saudi Arabia) intend to acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of a newly created joint venture (the 'JV', Saudi Arabia) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for Linde: a multinational group of companies, ultimately owned by Linde plc, that mainly focuses on gases and engineering services,

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 (the '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 Publication in the Official Journal of the European Union No C 65, 25.2.2021, p. 19.

– for Sipchem: Sipchem is the ultimate parent of a group of companies that is active in the production and marketing of basic and intermediate petrochemical products,

– for the JV: the JV will be active in the onsite supply of industrial gases in Saudi Arabia.

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

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

4 OJ C 366, 14.12.2013, p. 5.