EUROPEAN COMMISSION

Brussels, 24.06.2020
C(2020) 4340 final

PUBLIC VERSION

To the notifying party

Subject: **Case M.9842 – HITACHI CHEMICAL COMPANY / FIAMM ENERGY TECHNOLOGY**
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 2 June 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Hitachi Chemical Company Ltd. ("HCC", Japan), controlled by Showa Denko K.K. ("SDK", Japan) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the undertaking Fiamm Energy Technology S.p.A ("FET", Italy) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for HCC: the production of functional materials such as electronics materials, inorganic materials, polymer science materials and printed wiring board materials and the production of advanced components and systems, such as automotive products, energy storage devices, electronics components and other diagnostic agents and instruments,

   – for FET: the production and distribution of lead acid starter batteries and stationary batteries. FET is currently jointly controlled by HCC and Elettra 1938 S.p.A. ("Elettra", Italy).

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 Publication in the Official Journal of the European Union No C 196, 11.6.2020, p. 15.

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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(d) 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.