PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.11195 – ICI 3 / HCS GROUP)

Candidate case for simplified procedure

(Text with EEA relevance)

(2023/C 265/07)

1. On 19 July 2023, the Commission received notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— International Chemical Investors 3 S.E. ('ICI 3') (Luxembourg), belonging to the International Chemical Investors Group which is solely controlled by a private individual,

— Haltermann Besitzgesellschaft GmbH, HCS Group GmbH, and HCS Holding GmbH and its affiliated companies (the 'HCS Group')(Germany), controlled by H.I.G. Capital LLC, a private equity investment firm.

ICI 3 will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the HCS Group.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

— ICI 3 is an industrial group of companies focusing on midsized pharmaceutical and chemicals businesses, notably in fine chemicals, chlorovinyls and compounds,

— The HCS Group is a globally active provider of speciality solvents and additives.

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 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.11195 – ICI 3 / HCS GROUP

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

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

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

Postal address:

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