EUROPEAN COMMISSION

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PUBLIC VERSION

Clariant International Ltd
Rothausstrasse 61
4132 Muttenz 1
Switzerland

Wilmar International Limited
28 Biopolis Road
Singapore 138568
Singapore

Subject: **Case M.10964 - WILMAR / CLARIANT / CLARIANT QUATS BUSINESS 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 5 January 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Clariant International Ltd. ("Clariant", Switzerland), belonging to the Clariant Group and ultimately controlled by Clariant AG (Switzerland), and KOG Investments Pte. Ltd ("Wilmar", Singapore), controlled by Wilmar International Limited (Singapore), will via Global Amines Company Pte. Ltd. ("GAC", Singapore), jointly controlled by Clariant and Wilmar, acquire joint control within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation of the Clariant's Quats Business ("Quats Business", Switzerland), a business unit controlled by Clariant and comprised of inter alia production sites in Germany, Brazil and Indonesia as well as IP in Switzerland and further assets located worldwide. The concentration is accomplished by way of purchase of assets.[3]

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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 12, 13.01.2023, p. 11.

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

   – Clariant is active *inter alia* in the production and sale of cationic surfactants,

   – Wilmar is active *inter alia* in the production of and sale of fatty acids and fatty alcohols,

   – The Quats Business is mainly active in the development and production of quaternary ammonium compounds (known as "quats", which belong to the group of cationic surfactants) through its integrated production facilities as well as in providing supporting activities. To a small extent, the Quats Business produces intermediate products for the manufacturing of quats.

3. The Transaction will be carried out via GAC, which is jointly controlled by Clariant and Wilmar. GAC is active in the production and sales of amines, including the production and sale of non-ionic, cationic and amphoteric surfactants.

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

5. 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.