PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9052 — Kirin/Mitsui/Thorne)

Candidate case for simplified procedure

(Text with EEA relevance)

(2018/C 315/12)

1. On 31 August 2018, 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:

— Kirin Holdings Company, Limited ('Kirin', Japan),

— Mitsui & Co., Ltd ('Mitsui', Japan),

— Thorne Holding Corporation ('Thorne', United States), controlled by West View Capital Partners and Tudor Venture Partners.

Kirin and Mitsui acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of Thorne. The concentration is accomplished by way of a purchase of shares.

2. The business activities of the undertakings concerned are:

— for Kirin: engaging in pharmaceutical, biotechnology and integrated beverages businesses,

— for Mitsui: a trading house engaging in a number of worldwide commodity and other businesses, including the sale, distribution, purchase, marketing and supply of products in business areas such as iron and steel, coal and non-ferrous metals, machinery, electronics, chemicals and energy-related commodities,

— for Thorne: developing, manufacturing and selling high-end nutritional supplements, mainly to healthcare practitioners in the United States. Thorne also sells animal nutritional supplements and self-diagnostic tests for at-home detection of various health problems.

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.9052 — Kirin/Mitsui/Thorne

([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, by fax, or by post. Please use the contact details below:

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