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PUBLIC VERSION

ALBA Asia Plastics Recycling Ltd.
Unit 3608, AIA Tower,
183 Electric Road, North Point,
Hong Kong

Swire Plastics Recycling Ltd,
33/F Dorset House, Taikoo Place, 979
King's Road, Quarry Bay,
Hong Kong

Subject: **Case M. 10405 — Alba/Swire/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 20 August 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings ALBA Asia Plastics Recycling Ltd. (Hong Kong), belonging to the ALBA group ultimately controlled by Dr. Axel Schweizer and Dr. Eric Schweizer ("ALBA", Germany) and Swire Plastics Recycling Ltd. (Hong Kong), ultimately controlled by John Swire & Sons Ltd. ("Swire", United Kingdom), intend to acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertaking ALBA Swire Plastics Recycling Ltd. ("JV", Hong Kong) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – ALBA is active in different areas of recycling, such as used glass, waste wood, e-waste, organic waste, waste paper, plastics, metals and residual waste,

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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 348, 30.8.2021, p. 6.

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– Swire is a conglomerate that is active in various industries, including beverages and food chain, aviation, marine services, trading & industrial and property,

– The JV will be active in sourcing, collection, recovery, recycling and reprocessing of PET and high density polyethylene ("HDPE") plastic waste in Asia.

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.