Prior notification of a concentration

(Case M.10405 — Alba/Swire/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2021/C 348/05)

1. On 20 August 2021, 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:

— ALBA Asia Plastics Recycling Ltd. ('ALBA', Hong Kong), jointly controlled by Dr. Axel Schweizer and Dr. Eric Schweizer (Germany)

— John Swire & Sons Ltd. ('Swire', United Kingdom),

— ALBA Swire Plastics Recycling Ltd. ('JV', Hong Kong)

ALBA and Swire acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the JV.

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

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.

— 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. 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.10405 — Alba/Swire/JV

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

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

Fax +32 22964301

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

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