

**Prior notification of a concentration****(Case COMP/M.5191 — Perstorp/LyondellBasell/Rhodia diisocyanates businesses)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2008/C 198/09)

1. On 23 July 2008, the Commission received a 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 <sup>(1)</sup> by which the undertaking Perstorp Holding AB ('Perstorp', Sweden) controlled by PAI Partners SAS (France) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the toluene diisocyanate business of LyondellBasell Industries ('the LyondellBasell business', the Netherlands) and the hexamethylene diisocyanate and isophorone diisocyanate businesses of Rhodia SA ('the Rhodia businesses', France) by way of purchase of shares and assets.

2. The business activities of the undertakings concerned are:

- for Perstorp: manufacture and supply of specialty chemicals,
- for the LyondellBasell business: manufacture and supply of toluene diisocyanates,
- for the Rhodia businesses: manufacture and supply of hexamethylene diisocyanates and isophorone diisocyanates.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. 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 <sup>(2)</sup> 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. Observations can be sent to the Commission by fax ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.5191 — Perstorp/LyondellBasell/Rhodia diisocyanates businesses, to the following address:

European Commission  
Directorate-General for Competition  
Merger Registry  
J-70  
B-1049 Bruxelles/Brussel

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

<sup>(2)</sup> OJ C 56, 5.3.2005, p. 32.