

**Prior notification of a concentration**  
**(Case M.8048 — Ardagh/Ball Rexam Divestment Business)**

**Candidate case for simplified procedure**

(Text with EEA relevance)

(2016/C 186/08)

1. On 18 May 2016, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which the undertaking Ardagh SA ('Ardagh', Luxembourg) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of assets divested by Ball Corporation to obtain regulatory approvals for its acquisition of Rexam PLC (the 'Ball/Rexam Divestment Business'), by way of purchase of shares and assets.

2. The business activities of the undertakings concerned are:

- For Ardagh: production of rigid packaging solutions for the food, beverage, and consumer products industries.
- For the Ball/Rexam Divestment Business: manufacturing of beverage cans. In the EEA, the Ball/Rexam Divestment Business consists of eight Ball beverage can manufacturing plants, two Ball end plants, two Rexam beverage can manufacturing plants and certain support and innovation facilities in Germany and the United Kingdom. The Ball/Rexam Divestment Business also includes assets outside the EEA, notably in Brazil and the United States.

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 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 this 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 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference M.8048 — Ardagh/Ball Rexam Divestment Business, to the following address:

European Commission  
Directorate-General for Competition  
Merger Registry  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

---

<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

<sup>(2)</sup> OJ C 366, 14.12.2013, p. 5.