

***Case No COMP/M.5749 -
GLENCORE/ CHEMOIL
ENERGY***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 18/02/2010

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EUROPEAN COMMISSION

Brussels, 18.2.2010
SG-Greffe(2010) D/ 2119
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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.5749 - GLENCORE/ CHEMOIL ENERGY
Notification of 14.01.2010 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 18, 23.01.2010,
p.36.**

1. On 14.01.2010, the Commission received notification of a proposed concentration pursuant to Article 4 of the EC Merger Regulation by which the undertaking Glencore International AG ("GIAG", Switzerland) acquires within the meaning of Article 3(1)(b) of the EC Merger Regulation sole control of Chemoil Energy Limited ("Chemoil Energy ", Hong Kong), controlled by the Chandran Family Trust by way of purchase of shares.

The business activities of the undertakings concerned are:

- for GIAG: worldwide supplier of commodities and raw materials. Its business is organised around three sectors: metals and minerals, energy products and agricultural products;
- for Chemoil Energy: supplier of marine fuel products in the Americas, Europe and Asia.

¹ OJ L 24, 29.1.2004, p. 1 (the "EC Merger Regulation").

2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of the EC Merger Regulation and of paragraph 5 (c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
3. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the EC Merger Regulation.

For the Commission
(signed)
Alexander ITALIANER
Director General

² OJ C 56, 05.3.2005, p. 32 ("Notice on a simplified procedure").