

REFERENCE RELATING TO THE COMPLETED ACQUISITION BY ECOLAB INC OF THE HOLCHEM GROUP LIMITED

Notice of provisional findings made under Rule 11.3 of the Competition and Markets Authority Rules of Procedure¹

1. On 26 April 2019, the Competition and Markets Authority (CMA), made a reference to its chair for the constitution of a Group of CMA Panel Members (the Inquiry Group)² in accordance with section 22 of the Enterprise Act 2002 (the Act), regarding the completed acquisition by Ecolab Inc. (Ecolab) of the Holchem Group Limited (Holchem) (together, 'the Parties'), and requiring it to report within a period ending on 8 October 2019.

Provisional findings

2. The Inquiry Group appointed to consider this reference has made the following provisional findings on the statutory questions it has to decide pursuant to section 35(1) of the Act:
 - (a) whether a relevant merger situation has been created; and
 - (b) if so, whether the creation of that situation has resulted, or may be expected to result, in a substantial lessening of competition within any market or markets in the UK for goods and services.
3. The Inquiry Group's reasons are set out in full in the provisional findings report, which is attached to this Notice, and are summarised in the summary of the provisional findings report (see note below).

¹ See [Rules of procedure for merger, market and special reference groups \(CMA17\)](#).

² Under [Schedule 4](#) to the Enterprise and Regulatory Reform Act 2013.

The next steps

4. Anyone wishing to comment on the provisional findings is now invited to provide the Inquiry Group with their reasons in writing as to why these provisional findings should not become final (or, as the case may be, should be varied).
5. These reasons should be received by the Project Manager on behalf of the Inquiry Group no later than **Tuesday 27 August 2019**.
6. The Inquiry Group will have regard to any such reasons in making its final decisions on the statutory questions and any consequential actions. However, the Inquiry Group shall not be obliged to take into account reasons which are provided after the deadline specified in paragraph 5 above.
7. The Inquiry Group is also publishing a Notice of Possible Remedies which will set out the actions which it considers might be taken by the CMA to remedy the substantial lessening of competition and resultant adverse effects provisionally identified.

Kirstin Baker

Inquiry Group Chair

6 August 2019

Note: A copy of this Notice and the summary of the provisional findings report will be placed on the CMA website on 6 August 2019. The CMA proposes to publish the provisional findings report on its website on the same day or shortly thereafter. The published version of the provisional findings report will not contain any information which the Inquiry Group considers should be excluded from the report, having regard to the three considerations set out in [section 244](#) of the Act. These omissions are indicated by [✂].

Comments should be made by email to EcolabHolchem@cma.gov.uk or in writing to:

Project Manager
Ecolab/Holchem merger inquiry
Competition and Markets Authority
The Cabot
25 Cabot Square
London
E14 4QZ