



COMPETITION COMMISSION OF INDIA
(Combination Registration No. C-2018/01/549)

7th February, 2018

Notice under Section 6 (2) of the Competition Act, 2002 filed by Crown Holdings, Inc.

CORAM:

Mr.Devender Kumar Sikri

Chairperson

Mr. U.C. Nahta

Member

Mr. G.P. Mittal

Member

Legal Representative: Shardul Amarchand Mangaldas & Co.

Order under Section 31(1) of the Competition Act, 2002

1. On 19th January, 2018, the Competition Commission of India (hereinafter referred to as the “**Commission**”) received a notice filed by Crown Holdings, Inc. (“**Crown**”/ “**Acquirer**”), pursuant to Revised Agreement and Plan of Merger (“**APM**”) dated 26th December, 2017 entered *inter alia*, into and between Crown, Cobra Merger Sub, Ltd. (“**Merger Sub**”) and Signode Industrial Group Holdings (Bermuda) Ltd. (“**Signode**”).
2. The proposed combination relates to acquisition of all shares of Signode by Crown through its wholly owned subsidiary i.e. Merger Sub, which will merge with and into Signode, whereby Merger Sub will cease to exist and Signode will become a wholly-owned subsidiary of Crown (hereinafter, Crown and Signode are collectively referred to as “**Parties**”).



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3. The proposed combination is filed under sub-section (2) of Section 6 read with sub-section (a) of Section 5 of the Competition Act, 2002 (“Act”).
4. Crown, a company incorporated in United States of America (“USA”) and listed on the New York Stock Exchange (“NYSE”), is engaged in design, manufacture and sale of packaging products for consumer goods. Its products, *inter alia*, include steel and aluminium cans for food, beverage, household and other consumer products, glass bottles for beverage products. It exports these products into India.
5. Signode, a company incorporated in Bermuda, is *inter alia* engaged in providing transit and protective packaging systems and solutions, which consist of strap, protective, and stretch packaging consumables and equipment. Its products are used to contain, unitize, and protect goods during manufacturing, transport, and warehousing.
6. In India, Signode is present through its wholly owned subsidiaries namely: (a) Signode India Limited (“**Signode India**”) and (b) Stopak India Private Limited (“**Stopak**”). Signode India, a company *inter alia*, engaged in transit and protective packaging sector, manufacture and sell products such as steel strap, plastic strap, speciality tape. Stopak, a 100 percent export oriented unit, is *inter alia*, engaged in manufacturer of cargo securing products.
7. The Commission observed that although the Parties are engaged in overall packaging industry, their activities pertain to different areas of operations.
8. It is observed that Crown purchases some transit and protective packaging consumables of the type supplied by Signode as an end consumer, and uses them for logistic purposes. The total value of purchase made by Crown worldwide from Signode is insignificant and Signode has no purchase from Crown worldwide or in India.
9. Considering the facts on record, details provided in the notice given under sub-section (2) of Section 6 of the Act and assessment of the proposed combination on the basis of the factors stated in sub-section (4) of Section 20 of the Act, the Commission is of the opinion that the proposed combination is not likely to have any appreciable adverse



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effect on competition in India and therefore, the Commission, hereby, approves the same under sub-section (1) of Section 31 of the Act.

10. This order shall stand revoked if, at any time, the information provided by the Acquirer is found to be incorrect.
11. The information provided by the Acquirer shall be treated as confidential in terms of and subject to the provisions of Section 57 of the Act.
12. The Secretary is directed to communicate to the Acquirer accordingly.