

***Case No COMP/M.2486 -
ITOCHU / MARUBENI /
JV***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 14/09/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14/09/2001

SG (2001) D/291379

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Sirs,

Subject: Case No. COMP/M.2486 – Itochu / Marubeni / JV
Notification of 14.08.2001 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 238,
24.08.2001, page 2.

1. On 14.08.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings Itochu Corporation and Marubeni Corporation acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Japan NewCo by way of purchase of shares in a newly created company constituting a joint venture.

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

2. The business activities of the undertakings concerned are :
 - for Itochu Corporation : production and supply of steel products, textiles, industrial machinery, electronics, chemicals, food and financial services;
 - for Matubeni Corporation : production and supply of steel products, textiles, industrial machinery, electronics, chemicals, food and financial services;
 - for Japan NewCo : production and supply of steel products.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
4. 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 Council Regulation (EEC) No. 4064/89.

For the Commission

Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.