

***Case No COMP/M.2559 -
USG / DEUTSCHE
PERLITE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 27/09/2001

*Also available in the CELEX database
Document No 301M2559*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.09.2001

SG (2001) D/291577/291578

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Sirs,

Subject: Case No. COMP/M.2559 – USG/Deutsche Perlite/JV

Notification of 24 August 2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹

**Publication in the Official Journal of the European Communities No. C 247,
05.09.2001.**

1. On 24.08.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the US undertaking USG Interiors, Inc., belonging to the USG Group (“USG”), and the German undertaking Deutsche Perlite GmbH (“DP”), belonging to the German Knauf group (“Knauf”), acquire joint control of the newly created Joint Venture company Knauf-USG Systems GmbH & Co. KG (“JV”) to which they will contribute their entire cement board activities in Europe.
2. The business activities of the undertakings concerned are :
 - for Deutsche Perlite GmbH: production and distribution of building materials on the basis of perlite.
 - for Knauf Group: production and distribution of building materials including gypsum boards and other wall and floor-cladding panels.

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.

- for USG Interiors, Inc., and the USG Group: production and distribution of building materials including wall, ceilings and other claddings.
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 section 4(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

(Signed)
Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.