

***Case No COMP/M.4093 -
TOYOTA TSUSHO /
TOMEN***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 10/03/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10.03.2006

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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.4093 – Toyota Tsuho / Tomen
Notification of 03/02/2006 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 38, 15/02/2006,
page 3**

1. On 03.02.2006, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which by which the undertaking Toyota Tsusho Corporation (“Toyota Tsusho”, Japan) enters into a full merger within the meaning of Article 3(1)(a) of the Council Regulation with the undertaking Tomen Corporation (“Tomen”, Japan) by way of exchange of and purchase of shares.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are:
- for Toyota Tsusho: trading and logistics services, wholesale and retail sale of vehicles;
 - for Tomen: general trading company of products such as chemicals, textiles, electronics produce and foodstuffs, with limited activities in the automotive sector.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraphs c(i) and c(ii), of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
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 (EC) No. 139/2004.

For the Commission
signed
Neelie KROES
Member of the Commission

² OJ C 56, 05.3.2005 p.32