

***Case No COMP/M.4789 -
ELG HANIEL / METAL
ONE / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 27/09/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.09.2007

SG-Greffe(2007) D/205769

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties:

Dear Sirs,

**Subject: Case No. COMP/M.4789 - ELG HANIEL/ METAL ONE/JV
Notification of 23 August 2007 pursuant to Article 4 of Council Regulation
(EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 204/12,
01.09.2007, page 17**

1. On 23 August 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings ELG Haniel GmbH ("ELG Haniel", Germany) and Metal One Corporation ("Metal One", Japan) acquire within the meaning of Articles 3(4) and 3(1)(b) of the Council Regulation joint control of the undertaking ELG Nippon Stainless Resources ("NSR", Japan) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are :
 - for ELG Haniel : trade of primary and secondary raw materials for the steel industry worldwide;
 - for Metal One : production and trade of steel products and trade of primary and secondary raw material for the steel industry mainly in Asia;
 - for NSR : trade of secondary raw material for the steel industry in Japan and Asia.

¹ OJ L 24, 29.1.2004 p. 1

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, subparagraph a and c 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)
[p.p. Lowri Evans]
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32