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COMP/M.4985 – BHP Billiton/Rio Tinto

SECTION 1.2

Description of the concentration

On February 6 2008 BHP Billiton announced a pre-conditional all share offer for Rio Tinto. This acquisition constitutes a concentration in accordance with Article 3(1)(b) of the EC Merger Regulation.

BHP Billiton is an international diversified resources company with operations divided into the following Customer Sector Groups: aluminium, base metals (including copper, lead, zinc, uranium, gold, molybdenum and silver), coal, diamonds and specialty products (including mineral sands), iron ore, manganese, petroleum and stainless steel materials (including nickel and cobalt).

Rio Tinto is also an international diversified resources company with operations producing iron ore, metallurgical and thermal coal, copper, bauxite, aluminium (alumina, bauxite and primary aluminium), uranium and diamonds as well as other base metals and industrial minerals (including borates, mineral sands, salt and talc).

The principle markets on which the proposed transaction may impact are; (i) iron ore; (ii) aluminium (including bauxite, alumina and primary aluminium); (iii) coal (including metallurgical and thermal coal); (iv) copper (including copper concentrate and copper cathode); (v) mineral sands (including titanium dioxide, zircon and nodular pig iron) and (vi) uranium.