

***Case No COMP/M.2278 -
LAFARGE / BLUE
CIRCLE / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 29/01/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29/01/2001
SG(2001) D/ 285561

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

Dear Madame(s) and/or Sir(s),

Subject: Case No. COMP/M.2278 – Lafarge/Blue Circle/JV

Notification of 18 December 2000 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹

Publication in the Official Journal of the European Communities No. C376/05 of 29.12.2000

1. On 18 December 2000, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which Lafarge S.A. of France (“Lafarge”) and Blue Circle Industries of the UK (“BCI”) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control in Chilanga Cement in Zambia (“Chilanga”), Portland Cement in Malawi (“Portland”) and Mbeya Cement in Tanzania (“Mbeya”) by way of purchase of shares in a newly created intermediate holding company constituting a joint venture. In the framework of this transaction, BCI will sell 50% of its shareholding in Circle Cement in Zimbabwe (“Circle”) to Lafarge which will consequently share joint control over this company with BCI.
2. The business activities of the undertakings concerned are :
 - for Lafarge : worldwide production and supply of cement, aggregates, concrete, roofing products, specialty products, plaster and other building materials.

 - for BCI : worldwide production and supply of cement and other domestic and industrial building systems.

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 Chilanga : production of grey cement.

for Portland : production of grey cement.

for Mbeya : production of grey cement.

for Circle : production of grey cement.

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(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
4. To the extent that restrictions specified by the parties are directly related and necessary to the implementation of the concentration, these restrictions are covered pursuant to Article 6(1)(b), second subparagraph, of Council Regulation (EEC) No. 4064/89.
5. 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.