

***Case No COMP/M.2306 -
BERKSHIRE
HATHAWAY / JOHNS
MANVILLE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 22/02/2001

*Also available in the CELEX database
Document No 301M2306*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.02.2001
SG(2001)D/286386

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.2306 – BERKSHIRE HATHAWAY / JOHNS MANVILLE

Notification of 22.01.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹

Publication in the Official Journal of the European Communities No. C 29/6, 30.01.2001.

1. On 22.01.2001 received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the US holding company, Berkshire Hathaway Inc (“Berkshire”) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the US company, Johns Manville Corporation (“JM”) by way of purchase of shares.

The business activities of the undertakings concerned are :

- Berkshire: property and casualty insurance business (direct and reinsurance); diverse manufacturing activities;
- JM: insulation, roofing, floor and wall products.

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.

2. 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 paragraph 4, subparagraph (b), of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
3. 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 by M. MONTI, (Member of the
Commission)*

² OJ C 217, 29.07.2000, p. 32.