

*Case No COMP/M.2360 -  
SGS / R&S /  
FREEGLASS JV*

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 06/04/2001

*Also available in the CELEX database  
Document No 301M2360*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.04.2001

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Madam and Sir,

**Subject: Case No. COMP/M.2360 – SGS/R&S/Freeglass JV**

**Notification of 08.03.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup>**

**Publication in the Official Journal of the European Communities No. C87, page 16, 17.03.2001**

1. On 08.03.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the German company Saint-Gobain Sekurit Deutschland GmbH (« SGS »), controlled by the French company Compagnie de Saint-Gobain, and the German company Reitter & Schefenacker GmbH (« R&S »), controlled by the German company Schefenacker AG acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Freeglass GmbH (« Freeglass ») 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 SGS: automotive glass windows and glass components
  - for R&S: automotive rear mirrors, rear lights, and sound systems
  - for Freeglass: automotive plastic glazing systems.
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 paragraph 4, subparagraph b of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>2</sup>.

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<sup>1</sup> 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.

<sup>2</sup> OJ C 217, 29.07.2000, p. 32.

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.

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 (EEC) No. 4064/89.

For the Commission  
Mario MONTI  
Member of the Commission