

***Case No COMP/M.2476 -
BLUE CIRCLE /
MICHELIN / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 05/07/2001

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 05.07.2001
SG (2001) D/

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties:

Dear Madam/Sir,

**Subject: Case No. COMP/M.2476 – BLUE CIRCLE / MICHELIN / JV
Notification of 5.6.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹
Publication in the Official Journal of the European Communities No. C.170,
14.06.2001, page 12**

1. On 5.6.2001, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89² by which the undertakings, Blue Circle Industries PLC (“Blue Circle”) and Michelin Tyre PLC (“Michelin”) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of a newly-created UK joint venture company, Sapphire Energy Recovery Limited (“Sapphire”) by way of purchase of shares.
2. The business activities of the undertakings concerned are :

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 OJ L 395, 30.12.1989 p. 1; corrigendum OJ L 257 of 21.9.1990, p. 13; Regulation as last amended by Regulation (EC) No 1310/97 (OJ L 180, 9. 7. 1997, p. 1, corrigendum OJ L 40, 13.2.1998, p. 17).

- Blue Circle : manufacture and sale of heavy building materials
 - Michelin : manufacture and sale of tyres and other rubber products
 - Sapphire : purchase and re-sale of used tyres for use as fuel in cement kilns
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(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under 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

³ OJ C 217, 29.07.2000, p. 32.