

***Case No COMP/M.2545 -  
DEGUSSA / AUSIMONT***

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: 08/10/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 08.10.2001  
SG (2001) D/291710

SIMPLIFIED PROCEDURE

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

PUBLIC VERSION

To the notifying parties

Dear Madam and Sir,

**Subject: Case No. COMP/M.2545 - Degussa/Ausimont**

Notification of 5.9.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup>  
Publication in the Official Journal of the European Communities No. C 252, 12.09.2001,  
page 21

1. On 5.9.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which Degussa AG, belonging to the group E.ON, and Ausimont SPA, belonging to the group Montedison, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking MedAvox Srl by way of purchase of shares in a newly created company constituting a joint venture.

The business activities of the undertakings concerned are:

- for Degussa: Holding company for a group active in the development, production and distribution of all kind of chemical products.
- for Ausimont: Development, production and distribution of fluorinated materials and peroxygen products.
- for MedAvox Srl: Production and distribution of perborate and percarbonate.

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 a 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.

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  
Mario MONTI  
Member of the Commission