

***Case No COMP/M.2666 -
BERKSHIRE
HATHAWAY / FRUIT
OF THE LOOM***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 23/01/2002

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.01.2002

SG (2001) D/228229

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

**Subject: Case No. COMP/M.2666 - Berkshire Hathaway/Fruit of the Loom
Notification of 12.12.2001 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 367,
21.12.2001.**

1. On 12.12.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the American company Berkshire Hathaway Inc. acquires within the meaning of Article 3(1)(b) of the Council Regulation control of parts of the American company Fruit of the Loom by way of purchase of assets.
2. The business activities of the undertakings concerned are :
 - for Berkshire Hathaway : Property, insurance and investment
 - for Fruit of the Loom : Manufacturing and retailing of clothing
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

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.

4, c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².

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

² OJ C 217, 29.07.2000, p. 32.