

***Case No COMP/M.2869 -
MITSUBISHI / NISSHO
IWAI / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 15/11/2002

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15/11/2002

SG (2002) D/232672-73

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Sirs,

**Subject: Case No. COMP/M.2869 – MITSUBISHI / NISSHO IWAI / JV
Notification of 11 October 2002 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 251 dated 18/10/2002, page 12**

1. On 11/10/2002, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the undertakings Mitsubishi Corporation ("Mitsubishi", Japan) and Nissho Iwai Corporation ("Nissho Iwai", Japan) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control by way of purchase of shares in a newly created company constituting a joint venture called Metal One ("JV", Japan).

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.

The business activities of the undertakings concerned are :

- for undertaking Mitsubishi: New business initiatives, IT and electronics, energy, metals, machinery, chemicals, foods, textiles and others. Through its metals group, active in the sale of steel products.
 - for undertaking Nissho Iwai: Machinery, metals, energy, chemicals, consumer products and construction and urban development. Through its metals group, active in the sale of steel products.
 - for undertaking JV: Trading of fabricated and semi-fabricated steel products.
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 c 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

² OJ C 217, 29.07.2000, p. 32.