

***Case No COMP/M.2942 -
TOYOTA / TOYOTA
ESPANA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 09/09/2002

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 09/09/2002

SG (2002) D/231521

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the Notifying Parties

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.2942 – TOYOTA/TOYOTA ESPAÑA
Notification of TOYOTA/TOYOTA ESPAÑA pursuant to Article 4 of Council
Regulation (EEC) No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 196,
17/08/2002, page 10.**

1. On 8 August 2002, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89² by which the undertaking Toyota Motor Corporation (“TMC”; Japan) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Toyota España S.L. (“TES”; Spain) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for TMC: mainly engaged in manufacture, sale, leasing and repair of motor vehicles, ships and other transport equipment.

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).

- for TES: exclusive wholesale distributor for the Toyota and Lexus motor vehicles and spare parts in Spain (except the Canary Islands).

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 c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89³.
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

(signed)
Mario MONTI
Member of the Commission

³ OJ C 217, 29.07.2000, p. 32.