

***Case No COMP/M.2952 -
SUMITOMO / TAKEDA /
JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 30/10/2002

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30/10/2002

SG (2002) D/232405/232404

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.2952 - Sumitomo/Takeda/JV
Notification of 27.9.2002 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 240, 5/10/2002, page 6.**

1. On 27.9.2002, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which Sumitomo Chemical Co. Ltd. ("Sumitomo", Japan) and Takeda Chemical Industries Ltd. ("Takeda", Japan) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking NEWCO ("Newco", Japan) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are :
 - for undertaking Sumitomo: manufacture and sale of basic chemicals, petrochemicals, speciality chemicals, pharmaceuticals and agricultural chemicals.

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.

- for undertaking Takeda: manufacture and sale of pharmaceuticals, agricultural chemicals and life environment products.
 - for undertaking Newco: Takeda's existing agrochemical business.
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 4064/89².
 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

(signed)

² OJ C 217, 29.07.2000, p. 32.