

***Case No COMP/M.2961 -  
RHEINMETALL /  
DIEHL / DYNITEC***

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: 27/09/2002

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27/09/2002

SG (2002) D/231851

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

**To the notifying parties**

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

**Subject: Case No. COMP/M.2961 – Rheinmetall / Diehl / DynITEC**

Notification of 30.08.2002 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 213, 07.09.2002, page 6.

1. On 30.08.2002, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89<sup>2</sup> by which the German undertaking Rheinmetall AG (“Rheinmetall”) controlled by Röchling Industrie Verwaltung and the German undertaking Diehl Stiftung & Co. (“Diehl”) acquire(s) within the meaning of Article 3(1)(b) of the Council Regulation joint control of the German undertaking DynITEC GmbH (“DynITEC”) by way of purchase of shares.

The business activities of the undertakings concerned are :

- for undertaking Rheinmetall : automotive, electronics and defence;
- for undertaking Diehl : metal, control systems for household equipment, defence;

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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 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 undertaking DynITEC: military explosive and initiating devices.
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>3</sup>.
  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

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<sup>3</sup> OJ C 217, 29.07.2000, p. 32.