

***Case No COMP/M.3102 -
THOMESTO / SCA
HOLZ JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 05/05/2003

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 05/05/2003

SG (2003) D/229606

PUBLIC VERSION
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the Notifying Parties

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

**Subject: Case No. COMP/M.3102 – Thomesto/SCA Holz JV
Notification of 31/03/2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 84,
08/04/2003, page 7**

1. On 31.03.2003 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the Finnish undertaking Thomesto Ltd., belonging to the Finnish Metsäliitto group, and the German undertakings SCA Hygiene Products A.G. and SCA Hygiene Products GmbH, belonging to the Swedish group Svenska Cellulosa Aktiebolaget SCA ("SCA"), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the German undertaking SCA Holz GmbH, by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - for undertaking Metsäliitto: forestry, wood pulp and paper, mechanical wood processing, timber, plywood and engineered wood products, printing and writing paper, packaging, paper board, tissue paper products;

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 SCA: hygiene products, packaging, paper, woodpulp and wood products;
 - for SCA Holz: wood procurement in Germany and Austria.
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

(signed)
Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.