

***Case No COMP/M.3122 -  
DUPONT / STATOIL / JV***

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: 25/03/2003

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.03.2003

SG (2003) D/229142 - D/229143

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.3122 – DuPont/Statoil/JV  
Notification of 25.02.2003 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 51, of  
05/03/2003, page 14**

1. On 25.02.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings E.I. du Pont de Nemours and Company (“DuPont” – USA) and Statoil ASA (“Statoil” – Norway) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of a newly created company constituting a joint venture by way of purchase of shares.
2. The business activities of the undertakings concerned are :
  - for DuPont : wide variety of chemical and pharmaceutical products;
  - for Statoil : oil and gas; bioproteins for use in aquaculture;
  - for the joint venture : bioproteins for use in aquaculture and other applications.

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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.

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 a, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>2</sup>.
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

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<sup>2</sup> OJ C 217, 29.07.2000, p. 32.