

***Case No COMP/M.3203 -
TOTAL / SAMSUNG
CHEMICALS / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 17/07/2003

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

Brussels, 17.07.2003
SG (2003) D/230848

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.3203 – Total / Samsung Chemicals / JV
Notification of 18/06/2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C152,
p.20 of 28/06/2003**

1. On 18/06/2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings Samsung General Chemicals Co. Ltd. (“Samsung”), Korea, belonging to the Samsung Group and Total Holdings UK Ltd. belonging to the Total Group (“Total”), France, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Samsung Atofina Ltd. (“JV”), Korea, by way of purchase of shares in a newly created company constituting a joint venture.

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. The business activities of the undertakings concerned are :
 - for Samsung: manufacture of basic petrochemical products and commodity polymers;
 - for Total: oil exploration, development, refining, marketing, trading shipping and production of base chemicals and commodity polymers;
 - for JV: polyolefins, base chemicals and styrene.
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(a) 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

² OJ C 217, 29.07.2000, p. 32.