

EN

***Case No COMP/M.3938 -  
CRH / QUESTER***

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**REGULATION (EC) No 139/2004  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 15/09/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.09.2005

SG-Greffe(2005) D/205063

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

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

**Subject: Case No. COMP/M.3938—CRH/QUESTER**

Notification of 10.08.2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004<sup>1</sup>

Publication in the Official Journal of the European Communities No. C 201 of 18.08.2005 page 2.

1. On August 10, 2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking CRH plc. (CRH, Ireland) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertakings Arcos Beteiligungsverwaltung GmbH and Quester Lizenzmarketing GmbH (Quester, Austria) by way of purchase of shares.

The business activities of the undertakings concerned are:

- for CRH: producer and distributor of building materials
- for Quester: distributor of building materials.

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<sup>1</sup> OJ L 24, 29.1.2004 p. 1.

2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</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 (EC) No. 139/2004.

For the Commission,

(signed)  
Neelie Kroes  
Member of the Commission

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<sup>2</sup> OJ C 56, 05.03.2005 p. 32