

***Case No COMP/M.4945 -
ARCELOR / OFZ***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 25/02/2008

***In electronic form on the EUR-Lex website under document
number 32008M4945***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25/02/2008

SG-Greffe(2008) D/ 200768

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.4945 – Arcelor/ OFZ
Notification of 21/01/2008 pursuant to Article 4 of Council Regulation (EC)
No. 139/2004¹
Publication in the Official Journal of the European Union No. C 24/page no.
13 on 29/01/2008.**

1. On 21/01/2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 and following a referral pursuant to Article 4(5) of this Regulation, by which Arcelor Netherlands B.V. ("Arcelor", Netherlands), a wholly-owned subsidiary of ArcelorMittal (Luxembourg) acquires within the meaning of Article 3(1)(b) of the Council Regulation sole control of the ferroalloy business of OFZ, a.s. ("OFZ", Slovakia) by way of transfer of shares.
2. The business activities of the undertakings concerned are:
 - for Arcelor: global steel company which manufactures and distributes various steel products.
 - for OFZ: manufacturing of ferroalloys and by-products

¹ OJ L 24, 29.1.2004 p. 1

3. 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. 139/2004².
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 (EC) No. 139/2004.

For the Commission
(signed)
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32