

***Case No COMP/M.4975 -
MITSUI / RUBIS / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 25/01/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25/01/2008

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PUBLIC VERSION

SIMPLIFIED PROCEDURE

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

To the notifying parties

Dear Sir/Madam,

**Subject: Case No COMP/M.4975 – MITSUI / RUBIS / JV
Notification of 13.12. 2008 pursuant to Article 4 of Council Regulation
No 139/2004¹
Publication in the Official Journal of the European Union No. C 311 dated
21/12/2007, page 28**

1. On 13 December 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Mitsui & Co, Ltd. ("Mitsui", Japan) and Rubis group ("Rubis", France) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Rubis Terminal Antwerp (Belgium) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - for Mitsui: trading in a number of worldwide commodities including, *inter alia*, power and energy-related products, iron and steel, and non-ferrous metals,
 - for Rubis: storage of liquid industrial products and distribution of LPG and petroleum products in Europe, Africa and the Caribbean,
 - for Rubis Terminal Antwerp: tank terminal services for liquid industrial products at the port of Antwerp.

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