

***Case No COMP/M.5120 -  
ARCELORMITTAL /  
GONVARRI / SSC  
BRAZIL***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 14/05/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14-V-2008

SG-Greffe(2007) D/203212

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.5120 ArcelorMittal/ Gonvarri/ SSC Brazil  
Notification of 4 April 2008 pursuant to Article 4 of Council Regulation (EC)  
No. 139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C 93 of 15 Apr  
2008, p. 12**

1. On 04/04/2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings ArcelorMittal (Luxembourg) and Gonvarri (Spain) acquire, within the meaning of Article 3(1)(b) of the Council Regulation, joint control of Gonvarri Brasil Produtos Siderúrgicos S.A. ("SSC Brazil", Brazil) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for ArcelorMittal: manufacture and sale of a wide range of steel products including flat carbon steels, long carbon steels and stainless steels.
  - for Gonvarri: steel processing and distribution and the design, development and manufacture of metal parts for motor vehicles.
  - for SSC Brazil: steel processing and distribution in Brazil.

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<sup>1</sup> 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 a] of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004<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 (EC) No. 139/2004.

For the Commission  
(*signed*)  
Philip LOWE  
Director General

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<sup>2</sup> OJ C 56, 05.3.2005 p.32