

***Case No COMP/M.5383 -
SALZGITTER /
NORDDEUTSCHE
AFFINERIE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 15/12/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.12.2008
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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.5383 - SALZGITTER/ NORDDEUTSCHE AFFINERIE
Notification of 18/11/2008 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 302,
25/11/2008, p. 11**

1. On 18 November 2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Salzgitter AG, Germany, acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Norddeutsche Affinerie AG, Germany by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - Salzgitter: is the controlling company of a steel- and technology corporate group, which is active in production and marketing of different steel products, including flat bar steel and pipes.

¹ OJ L 24, 29.1.2004, p. 1.

- Norddeutsche Affinerie: is the controlling company of a corporate group active in the copper industry, which produces and markets copper cathodes, copper wire rod and copper formats as well as semi finished copper.
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(b) 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.