

***Case No COMP/M.5653 -
GDA/ FURUKAWA-SKY/
MITSUI/ JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 11/11/2009

***In electronic form on the EUR-Lex website under document
number 32009M5653***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11.11.2009
SG-Greffe(2009) D/8745/ 8746/ 8747
C(2009) 8976

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.5653 - GDA/ Furukawa-Sky/ Mitsui/ JV)
Notification of 13/10/2009 pursuant to Article 4 of Council Regulation (EC) No 139/2004¹
Publication in the Official Journal of the European Union No C 251,
21.10.2009, p.3

1. On 13/10/2009 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Guangdong Dongyangguang Aluminum Co., Ltd. ("GDA", part of the Shenzhen Dongyangguang Group, China), Furukawa-Sky Aluminium Corp ("FSA", Japan), and Mitsui & Co Ltd ("Mitsui", Japan) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Ruyuan Dongyangguang Fine Aluminum Foil Co., Ltd and Shaoguan Yangzhiguang Aluminum Foil Co., Ltd (together "JV", China), by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - GDA : aluminium refining and the manufacture and sale of flat rolled aluminium products including aluminium foil.
 - FSA : manufacture and sale of flat rolled aluminium products, extruded aluminium products and cast and forged aluminium products.

¹ OJ L 24, 29.1.2004, p. 1.

- Mitsui : trading house engaged in a number of worldwide commodity and other businesses, including the sale and purchase of various flat rolled and cast aluminium products.
 - JV : flat rolled aluminium products.
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(a) 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.