

***Case No COMP/M.6195 -
HOLCIM / BASALT / H + B
GRONDSTOFFEN JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 06/06/2011

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EUROPEAN COMMISSION

Brussels, 6.6.2011
C(2011) 4148 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.6195- HOLCIM/ BASALT/ H + B GRONDSTOFFEN JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 3 May 2011, the European Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004² by which the undertakings Holcim Grondstoffen B.V. ('Holcim', the Netherlands), controlled by the Holcim Group (Switzerland), and Basalt Union GmbH ('Basalt', Germany) belonging to the Werhahn group, acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking H+B Grondstoffen C.V. ('the JV', the Netherlands) 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 Holcim: trading of aggregates in the Netherlands. The Holcim Group is active in the manufacturing and distribution of cement, production, processing and distribution of aggregates, ready-mixed concrete, pre-cast concrete products and asphalt.

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

² OJ L 24, 29.1.2004, p. 1 (the "Merger Regulation")

- for Basalt: trading of aggregates in the Netherlands. The Werhahn group is active in various sectors including production of aggregates, asphalt and construction materials, slate extraction and sales, baking products, kitchenware and beauty segments, real estate and finance.
 - for the JV: trading of aggregates in the Netherlands³.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004⁴.
 4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

*For the Commission
(signed)*

*Alexander ITALIANER
Director General*

³ Publication in the Official Journal of the European Union No C 141, 12.05.2011, p.14

⁴ OJ C 56, 5.3.2005, p. 32.