

***Case No COMP/M.6487 -
MITSUI/ SANYO/ MUSCO/
NAVYUG SPECIAL STEEL***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 15/03/2012

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EUROPEAN COMMISSION

Brussels, 15/03/2012
C(2012) 1865

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6487 - MITSUI/ SANYO/ MUSCO/ NAVYUG SPECIAL STEEL
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 15 February 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Mitsui & Co., Ltd. ("Mitsui", Japan), Mahindra Ugine Steel Company Limited ("Musco", India) and Sanyo Special Steel Co., Ltd ("Sanyo", Japan), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Navyug Special Steel Private Limited ("Navyug", India), by way of purchase of shares. Navyug is currently a wholly-owned subsidiary of Musco².
2. The business activities of the undertakings concerned are:
 - for Mitsui: the trading of iron and steel, nonferrous metals, electronics, chemicals, energy-related commodities, motor vehicle and motorcycle parts and accessories;
 - for Musco: the manufacture and sale of steel products;
 - for Sanyo: the manufacture and sale of special steel products;
 - for Navyug: the manufacture and sale of steel products.
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 paragraphs 5(a)

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 Publication in the Official Journal of the European Union No C055, 24.02.2012, p. 24.

and 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.

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 OJ C 56, 5.3.2005, p. 32.