

***Case No COMP/M.6790 - MITTAL INVESTMENTS/
CERTAIN UK ASSETS OF ANGLO AMERICAN AND
LAFARGE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 14/12/2012

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EUROPEAN COMMISSION

Brussels, 14.12.2012
C(2012) 9792

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6790 - Mittal Investments/ Certain UK Assets of Anglo American and Lafarge
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 16 November 2012 the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mittal Investments S.à.r.l ("Mittal Investments", Luxembourg) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Tarmac SPV and Lafarge SPV by way of purchase of shares. Tarmac SPV and Lafarge SPV are special purpose vehicles established by Anglo American plc ("Anglo American", UK) and Lafarge SA ("Lafarge", France) respectively to hold assets that each company must sell as a condition of the UK Competition Commission's clearance of a proposed joint venture between Anglo American and Lafarge.²
2. The business activities of the undertakings concerned are:
 - for Mittal Investments : investment company affiliated with ArcelorMittal SA, a globally active steel and mining company;

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 C 360, 22.11.2012, p. 9.

- for Tarmac SPV and Lafarge SPV: assets that are used for the production of aggregates, high purity limestone, cement, asphalt and ready-mix concrete in the UK.
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(c)i and (c)ii of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.³
 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.