



EUROPEAN COMMISSION
DG Competition

*Case M.9146 -
ARCELORMITTAL /
NIPPON STEEL &
SUMITOMO METAL
CORPORATION / ESSAR
STEEL INDIA*

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/11/2018

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Brussels, 16.11.2018
C(2018) 7730 final

PUBLIC VERSION

To the notifying parties

**Subject: Case M.9146 - ARCELORMITTAL / NIPPON STEEL & SUMITOMO METAL CORPORATION / ESSAR STEEL INDIA
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

Dear Sir or Madam,

1. On 17 October 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings ArcelorMittal S.A. ('ArcelorMittal', Luxembourg), and Nippon Steel & Sumimoto Metal Corporation ('NSSMC', Japan) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of the undertaking Essar Steel India Ltd ('Essar', India) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for Essar: integrated steel manufacturer with manufacturing facilities located in India and Indonesia. Essar steel has no manufacturing facilities in the EEA. Essar's steel products are mainly sold on the domestic market in India but also worldwide, including the EEA. These products include hot-rolled products (including quarto plates), cold-rolled products, large diameter steel pipes, and surface coated products. Essar is only active in flat carbon steel products, except welded pipes and welded beams which are fabricated from flat sheets/coils,
 - for ArcelorMittal: global steel and mining company, whose principal business is the production, distribution, marketing, and sale of steel products. It produces a range

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 1, 3.1.1994, p. 3 (the 'EEA Agreement').

³ Publication in the Official Journal of the European Union No C 388, 26.10.2018, p. 13.

of semi-finished and finished steel products, including flat and long carbon steel products. It supplies steel for various applications including automotive, construction, household appliances and packaging,

- for NSSMC: the manufacture and supply of steel products such as steel plate and sheets, steel bars and sections, wire rods, steel pipes and tubes, as well as stainless steel products and titanium products. Its products are primarily produced in Japan and its sales are focused on Asian markets, primarily Japan.
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 6 of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
 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 and Article 57 of the EEA Agreement.

For the Commission

(Signed)

Johannes LAITENBERGER

Director-General

⁴ OJ C 366, 14.12.2013, p. 5.