



EUROPEAN COMMISSION
DG Competition

Case M.9247 - MC / FRANZ HANIEL / ELG

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 28/02/2019

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EUROPEAN COMMISSION

Brussels, 28.02.2019
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PUBLIC VERSION

To the notifying parties:

**Subject: Case M.9247 - MC / FRANZ HANIEL / ELG
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 6 February 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mitsubishi Corporation (“MC”, Japan) and ELG Haniel GmbH (“ELG”, Germany), solely controlled by Franz Haniel & Cie. GmbH (“Franz Haniel”, Germany), acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of the whole of ELG Carbon Fibre Limited (“ECF”, United Kingdom), currently exclusively controlled by Franz Haniel. The concentration is accomplished by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for MC: development and businesses operations across a variety of industries, including environment and infrastructure, manufacturing, finance, energy, metals, machinery, chemicals, and food;
 - for ELG: trading, processing, and recycling of raw materials for the stainless steel industry as well as high-performance materials such as carbon fibre;
 - for ECF: recycling of carbon fibre from manufacturing waste and end-of-life composite components, manufacture of recycled carbon fibre 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 paragraph 5(b) of

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 057, 13.02.2019, p. 28.

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.