



EUROPEAN COMMISSION
DG Competition

***Case M.10890 - MARCEGAGLIA STEEL / OLPUK / OSB /
FSAB***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 13/12/2022

***In electronic form on the EUR-Lex website under
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EUROPEAN COMMISSION

Brussels, 13.12.2022
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PUBLIC VERSION

Marcegaglia Steel S.p.A.
Via Bresciani 16
46040 Gazoldo degli Ippoliti (MN)
Italy

**Subject: Case M.10890 - MARCEGAGLIA STEEL / OLPUK / OSB / FSAB
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 November 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Marcegaglia Steel S.p.A ('Marcegaglia Steel', Italy), controlled by Marcegaglia Holding S.r.l (Italy) will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Outokumpu Long Products Limited ('OLPUK', UK), Outokumpu Stainless Bar LLC ('OSB', USA) and Fagersta Stainless AB ('FSAB', Sweden), controlled by Outokumpu Oyj (Finland). The concentration is accomplished by way of purchase of shares.³
2. The business activities of the undertakings concerned are the following:
 - Marcegaglia Steel is an Italian industrial group in the steel processing sector, with a focus on trading and processing of steel. It mainly produces carbon steel products, but also, to a smaller extent, stainless steel flat and long products.
 - The Target is a producer of stainless steel long products and semi-finished products in the form of wire rods, ingots, billets, blooms and slabs.

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 458, 01.12.2022, p. 9.

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) 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)
Olivier GUERSENT
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.