Non-opposition to a notified concentration

(Case No IV/M.1363 — Dupont/Hoechst/Herberts)

(1999/C 64/02)

(Text with EEA relevance)

On 5 February 1999, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EEC) No 4064/89. The full text of the decision is only available in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

— as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),

— in electronic form in the 'CEN' version of the CELEX database, under document number 399M1363. CELEX is the computerised documentation system of European Community law; for more information concerning subscriptions please contact:

EUR-OP,
Information, Marketing and Public Relations (OP/4B),
2, rue Mercier,
L-2985 Luxembourg.
Tel. (352) 29 29-42455, fax (352) 29 29-42763.

Prior notification of a concentration

(Case No IV/M.1477 — Metallgesellschaft/GEA)

(1999/C 64/03)

(Text with EEA relevance)

1. On 1 March 1999, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 [1], as last amended by Regulation (EC) No 1310/97 [2], by which the undertaking Metallgesellschaft AG acquires, within the meaning of Article 3(1)(b) of the Regulation, control of the undertaking GEA AG by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— Metallgesellschaft: trade in metals and construction of manufacturing plant,

— GEA AG: components and machines for manufacturing plant.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

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[1] OJ L 395, 30.12.1989, p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.
[2] OJ L 180, 9.7.1997, p. 1; corrigendum: OJ L 40, 13.2.1998, p. 17.