EUROPEAN COMMISSION

Brussels, 20.1.2020
C(2020) 389 final

PUBLIC VERSION

To the notifying party

Subject: **Case M.9693 – LIBERTY / ALERIS DIVESTMENT BUSINESS**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 4 December 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Liberty House Group Pte. Ltd ('Liberty', Singapore) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the automotive body sheets business, as well as other flat rolled products business, located at Aleris Corporation's production plant in Duffel (Belgium) ('Aleris Divestment Business', Belgium), currently wholly owned by the undertaking Aleris Corporation (USA), by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for Liberty: metals recycling, manufacture of steel, aluminium and engineering products;

   – for Aleris Divestment Business: manufacture and sale of aluminium flat-rolled products, including in particular aluminium automotive body sheets, aluminium sheet for heat exchangers and standard aluminium flat rolled products.

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 420, 13.12.2019, p. 26.

Commission européenne, DG COMP MERGER REGISTRY, 1049 Bruxelles, BELGIQUE
Europese Commissie, DG COMP MERGER REGISTRY, 1049 Brussel, BELGIË

Tel: +32 229-91111. Fax: +32 229-64301. E-mail: COMP-MERGER-REGISTRY@ec.europa.eu.

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. This decision is adopted without prejudice to the ongoing assessment of Liberty as a suitable purchaser of Aleris Divestment Business following the final commitments submitted by Novelis Inc. to the Commission in case M.9076 – *Novelis*/*Aleris*.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

4 OJ C 366, 14.12.2013, p. 5.