EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.10037 - MITSUI / VEOLIA / JV**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] [2] and Article 57 of the Agreement on the European Economic Area[3]

Dear Sir or Madam,

1. On 8 December 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mitsui & Co., Ltd ("Mitsui", Japan) and Veolia Japan K.K. ("Veolia", Japan), controlled by Veolia Environnement (France), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a newly created company constituting a joint venture, namely Circular PET Co., Ltd ("Circular PET", Japan). The concentration is accomplished by way of purchase of shares.[4]

2. The business activities of the undertakings concerned are:

   – Mitsui is a trading, business management and project development company, headquartered in Tokyo, Japan. Mitsui operates worldwide and is active in various sectors, including: (i) iron & steel products; (ii) mineral & metal resources; (iii) infrastructure projects; (iv) mobility; (v) basic chemicals; (vi) performance chemicals; (vii) energy; (viii) food resources; (ix) consumer services; and (x) IT & communication / corporate development,

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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 For the purposes of this Decision, although the United Kingdom withdrew from the European Union as of 1 February 2020, according to Article 92 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 29, 31.1.2020, p. 7), the Commission continues to be competent to apply Union law as regards the United Kingdom for administrative procedures which were initiated before the end of the transition period.

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

4 Publication in the Official Journal of the European Union No C 435, 16.12.2020, p. 3.

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.

– Veolia is active in environmental management services. It designs and provides water, waste and energy management solutions. Veolia is a wholly owned subsidiary of Veolia Environnement, which is listed on the Paris stock exchange and operates worldwide. Veolia Environnement is headquartered in Paris, France,

– Circular PET will be active in the manufacture of recycled polyethylene terephthalate using waste polyethylene terephthalate bottles in 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 5(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[5]

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

5 OJ C 366, 14.12.2013, p. 5.