

6. Written submissions and correspondence

All submissions and requests made by interested parties must be made in writing and must indicate the name, address, e-mail address, telephone and fax, and/or telex numbers of the interested party.

Commission address for correspondence:

European Commission
J II (79) — 5/16
B-1049 Brussels
Fax (32-2) 295 65 05
Telex COMEU B 21877.

7. Non-cooperation

In cases in which any interested party refuses access to or otherwise does not provide the necessary information within the time limits, or significantly impedes the investigation, findings, affirmative or negative, may be made in accordance with Article 18 of the basic Regulation, on the basis of the facts available.

Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made of the facts available.

Commission notice concerning the Alliance between KLM Royal Dutch Airlines and Northwest Airlines, Inc., (case COMP/D-2/36.111 — procedure under Article 85 (ex Article 89) of the EC Treaty)

(2002/C 264/05)

(Text with EEA relevance)

On 3 July 1996 the Commission opened a procedure under Article 85 (ex Article 89) of the EC Treaty ⁽¹⁾ in order to examine the compatibility of the Alliance between KLM and NW (the Parties) with Article 81 of the EC Treaty (Case COMP/D-2/36.111). This procedure relates exclusively to the transatlantic services covered by the KLM/NW Alliance.

On 30 July 2002 the Commission announced in a notice published in the *Official Journal of the European Communities* its intention to take a favourable position on the cooperation agreements between KLM/NW and to close the proceedings ⁽²⁾. Interested third parties have not raised any substantial new elements.

Accordingly the Commission decided on 28 October 2002 that there is no longer any reason to take action under Article 85 of the Treaty and that the proceedings can therefore be closed.

⁽¹⁾ Regulation (EEC) No 3975/87 (OJ L 374, 31.12.1987) being applicable only to air transport between Community airports.

⁽²⁾ OJ C 181, 30.7.2002, p. 2 to 8.
