# Opinion of the Advisory Committee on restrictive practices and dominant positions at its meeting on given at its 409th meeting on 15 May 2006 concerning a draft decision relating to Case COMP/F/38.645 — Methacrylates

(2006/C 285/03)

**(Text with EEA relevance)**

1. The Advisory Committee agrees with the European Commission's assessment of
   a) the products affected by the cartel
   b) the geographic area affected by the cartel.
2. The Advisory Committee agrees with the European Commission's assessment of the facts as an agreement and/or concerted practice within the meaning of Article 81 of the Treaty and Article 53 of the EEA Agreement.
3. The Advisory Committee agrees with the European Commission's view that the cartel constitutes a single and continuous infringement.
4. The Advisory Committee agrees with the European Commission's view as regards the addressees of the decision, specifically with reference to imputation of liability to parent companies and new owners of the companies/groups concerned.
5. The Advisory Committee agrees with the European Commission
   a) that the infringement is of a very serious nature, and
   b) as to the duration of the infringement.
6. The Advisory Committee agrees with the European Commission about
   a) the aggravating circumstances, and
   b) about the mitigating circumstances.
7. The Advisory Committee agrees with the European Commission as regards the application of the Leniency Notice.
8. The Advisory Committee recommends the publication of its opinion in the *Official Journal of the European Union*.
9. The Advisory Committee asks the Commission to take into account all the other points raised during the discussion.