Prior notification of a concentration

(Case COMP/M.6790 — Mittal Investments/Certain UK Assets of Anglo American and Lafarge)

Candidate case for simplified procedure

(Text with EEA relevance)

(2012/C 360/07)

1. On 16 November 2012, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 [1] by which Mittal Investments Sàrl ('Mittal Investments', Luxembourg) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Tarmac SPV and Lafarge SPV by way of purchase of shares. Tarmac SPV and Lafarge SPV are special purpose vehicles established by Anglo American plc ('Anglo American', UK) and Lafarge SA ('Lafarge', France) respectively to hold assets that each company must sell as a condition of the UK Competition Commission's clearance of a proposed joint venture between Anglo American and Lafarge.

2. The business activities of the undertakings concerned are:

— for Mittal Investments: investment company affiliated with ArcelorMittal SA, a globally active steel and mining company,

— for Tarmac SPV and Lafarge SPV: assets that are used for the production of aggregates, high purity limestone, cement, asphalt and ready-mix concrete in the UK.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC Merger Regulation. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the EC Merger Regulation [2] it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6790 — Mittal Investments/Certain UK Assets of Anglo American and Lafarge, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

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[1] OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').
[2] OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').