Notification of a joint venture

(Case COMP/E-2/37.769)

(2000/C 21/08)

(Text with EEA relevance)

1. On 18 January 2000 the Commission received notification pursuant to Article 4 of Council Regulation No 17 (1) of joint venture agreements between Bayer AG, a company incorporated in Germany, and Lyondell Chemical Company, a company incorporated in the United States of America. The object of these agreements is principally the production of propylene oxide and associated co-products styrene monomer and tertiary butyl alcohol in two facilities in the United States of America. In addition, the agreements also cover a technology partnership providing for technology licences and cooperation between the partners in research and development as well as a logistics arrangement for swaps in propylene oxide.

Bayer intends to use the majority of its share of the propylene oxide produced by the joint venture captively in its polyether polyol business newly acquired from Lyondell, while Lyondell intends to carry on its merchant business in propylene oxide, co-products and derivatives.

Simultaneously, the parties have notified the acquisition by Bayer of Lyondell’s worldwide polyether polyol business pursuant to Council Regulation (EEC) No 4064/89.

2. On preliminary examination, the Commission finds that the notified joint venture could fall within the scope of Regulation No 17.

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

4. Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 299 24 64) or by post, under reference COMP/E-2/37.769, to:

European Commission,
Directorate-General for Competition,
Directorate E,
Office 2/46,
Avenue de Cortenberig/Kortenberglaan 158,
B-1040 Brussels.

(1) OJ 13, 21.2.1962, p. 204/62.