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Council

2018/C 388/04 The following information is brought to the attention of ABDOLLAHI Hamed, ARBABI SIAR Manssor, SHAHLAI Abdul Reza, SHAKURI Ali Gholam, SOLEIMANI Qasem, the Communist Party of the Philippines, including New Peoples Army (NPA), the National Liberation Army (Ejército de Liberación Nacional or ELN), the HIZBALLAH Military Wing, the Popular Front for the Liberation of Palestine (PFLP), the Popular Front for the Liberation of Palestine — General Command (PFLP-GC) and Sendero Luminoso (SL) (‘Shining Path’) — persons and groups included on the list provided for in Article 2(3) of Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (see Annex to Council Implementing Regulation (EU) 2018/1071 of 30 July 2018) ........................................................................................................... 3

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(1) Text with EEA relevance.
II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Non-opposition to a notified concentration
(Case M.9102 — Carlyle/Investindustrial/B&B Italia/Louis Poulsen/Flos)
(Text with EEA relevance)
(2018/C 388/01)

On 9 October 2018, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 (1). The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

— in the merger section of the Competition website of the Commission (http://ec.europa.eu/competition/mergers/cases/). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,


Non-opposition to a notified concentration
(Case M.9100 — CK Asset holdings/CK Infrastructure Holdings/APA)
(Text with EEA relevance)
(2018/C 388/02)

On 11 October 2018, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 (1). The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

— in the merger section of the Competition website of the Commission (http://ec.europa.eu/competition/mergers/cases/). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,


On 17 October 2018, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 (1). The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

— in the merger section of the Competition website of the Commission (http://ec.europa.eu/competition/mergers/cases/). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,


NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

The following information is brought to the attention of ABDOLLAHI Hamed, ARBABSIAR Manssor, SHAHLOI Abdul Reza, SHAKURI Ali Gholam, SOLEIMANI Qasem, the Communist Party of the Philippines, including New Peoples Army (NPA), the National Liberation Army (Ejército de Liberación Nacional or ELN), the HIZBALLAH Military Wing, the Popular Front for the Liberation of Palestine (PFLP), the Popular Front for the Liberation of Palestine — General Command (PFLP-GC) and Sendero Luminoso (SL) ('Shining Path') — persons and groups included on the list provided for in Article 2(3) of Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (see Annex to Council Implementing Regulation (EU) 2018/1071 of 30 July 2018).

The following information is brought to the attention of the abovementioned persons and groups listed in Council Implementing Regulation (EU) 2018/1071 (1).

Council Regulation (EC) No 2580/2001 (2) provides for a freezing of all funds, other financial assets and economic resources belonging to the persons and groups concerned and that no funds, other financial assets and economic resources may be made available to them, whether directly or indirectly.

The Council has been provided with new information relevant to the listing of the abovementioned persons and groups. Having considered this new information, the Council has amended the statements of reasons accordingly.

The persons and groups concerned may submit a request to obtain the updated Council’s statements of reasons for maintaining them on the abovementioned list to the following address:

Council of the European Union (Attn: COMET designations)
Rue de la Loi 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

Email: sanctions@consilium.europa.eu

Such requests should be submitted by 2 November 2018.

The persons and groups may submit at any time a request to the Council, together with any supporting documentation, that the decision to include and maintain them on the list should be reconsidered, to the address provided above. Such requests will be considered when they are received. In this respect, the attention of the persons and groups concerned is drawn to the regular review by the Council of the list according to Article 1(6) of Common Position 2001/931/CFSP (3).

The attention of the persons and groups concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as listed in the Annex to Regulation (EC) No 2580/2001 in order to obtain an authorisation to use frozen funds for essential needs or specific payments in accordance with Article 5(2) of that Regulation.


(2018/C 388/05)

The following information is brought to the attention of the persons that appear in the Annex to Council Decision (CFSP) 2015/1763 (1), as amended by Decision (CFSP) 2018/1612 (2) and in Annex I to Council Regulation (EU) 2015/1755 (3), as implemented by Implementing Regulation (EU) 2018/1605 (4) concerning restrictive measures in view of the situation in Burundi.

The Council of the European Union has decided that the persons that appear in the abovementioned Annexes should continue to be included in the list of persons and entities subject to restrictive measures provided for in Decision (CFSP) 2015/1763 as amended by Decision (CFSP) 2018/1612 and in Regulation (EU) 2015/1755, as implemented by Implementing Regulation (EU) 2018/1605 concerning restrictive measures in view of the situation in Burundi. The grounds for designations of those persons appear in the relevant entries in those Annexes.

The attention of the persons concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex II to Regulation (EU) 2015/1755, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 3 of the Regulation).

The persons concerned may submit a request to the Council before 2 July 2019, together with supporting documentation that the decision to include them on the abovementioned list should be reconsidered to the following address:

Council of the European Union
General Secretariat
DG RELEX 1C
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIÉ

Email: sanctions@consilium.europa.eu

Any observations received will be taken into account for the purpose of the Council’s next review, pursuant to Article 6 of Decision (CFSP) 2015/1763 and Article 13(4) of Regulation (EU) 2015/1755, of the list of designated persons.

The attention of the persons concerned is also drawn to the possibility of challenging the Council’s decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, 2nd paragraph, and Article 263, 4th and 6th paragraphs, of the Treaty on the Functioning of the European Union.

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Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation (EU) 2015/1755 concerning restrictive measures in view of the situation in Burundi apply

(2018/C 388/06)

The attention of data subjects is drawn to the following information in accordance with Article 12 of Regulation (EC) No 45/2001 of the European Parliament and of the Council (¹):

The legal basis for this processing operation is Council Regulation (EU) 2015/1755 (²) as implemented by Implementing Regulation (EU) 2018/1605 (³).

The controller of this processing operation is the Council of the European Union represented by the Director-General of DG RELEX (Foreign Affairs, Enlargement, Civil Protection) of the General Secretariat of the Council and the department entrusted with the processing operation is the Unit 1C of DG RELEX that can be contacted at:

Council of the European Union
General Secretariat
DG RELEX 1C
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË
Email: sanctions@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Regulation (EU) 2015/1755, as implemented by Implementing Regulation (EU) 2018/1605.

The data subjects are the natural persons who fulfil the listing criteria as laid down in that Regulation.

The personal data collected includes data necessary for the correct identification of the person concerned, the Statement of Reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions provided for in Article 20(1)(a) and (d) of Regulation (EC) No 45/2001, requests for access, as well as requests for rectification or objection will be answered in accordance with Section 5 of Council Decision 2004/644/EC (⁴).

Personal data will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the asset freeze or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

Data subjects may have recourse to the European Data Protection Supervisor in accordance with Regulation (EC) No 45/2001.


The Council of the European Union has determined that the persons that appear in the above-mentioned Annexes continue to fulfil the criterion set out in Decision 2010/638/CFSP and in Regulation (EU) No 1284/2009 concerning restrictive measures against the Republic of Guinea and should therefore remain subject to the measures, as renewed by Decision (CFSP) 2018/1611.

The attention of the persons concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the web-sites in Annex III to Regulation (EU) No 1284/2009, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 8 of the Regulation).

The persons concerned may submit a request to the Council, together with supporting documentation before 30 June 2019, that the decision to include them on the above-mentioned list should be reconsidered, to the following address:

Council of the European Union
General Secretariat
DG RELEX
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIÉ
Email: sanctions@consilium.europa.eu

The attention of the persons concerned is also drawn to the possibility of challenging the Council’s decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation (EU) No 1284/2009, as implemented by Council Implementing Regulation (EU) 2018/1604 concerning restrictive measures against the Republic of Guinea apply

(2018/C 388/08)

The attention of data subjects is drawn to the following information in accordance with Article 12 of Regulation (EC) No 45/2001 of the European Parliament and of the Council (1):

The legal basis for this processing operation is Regulation (EU) No 1284/2009 (2), as implemented by Implementing Regulation (EU) 2018/1604 (3).

The controller of this processing operation is the Council of the European Union represented by the Director-General of DG RELEX (Foreign Affairs, Enlargement, Civil Protection) of the General Secretariat of the Council and the department entrusted with the processing operation is the Unit 1C of DG RELEX that can be contacted at:

Council of the European Union
General Secretariat
DG RELEX 1C
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIE

Email: sanctions@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Regulation (EU) No 1284/2009, as implemented by Implementing Regulation (EU) 2018/1604.

The data subjects are the natural persons who fulfil listing criteria as laid down in that Regulation.

The personal data collected includes data necessary for the correct identification of the person concerned, the Statement of Reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions provided for in Article 20(1)(a) and (d) of Regulation (EC) No 45/2001, requests for access, as well as requests for rectification or objection will be answered in accordance with Section 5 of Council Decision 2004/644/EC (4).

Personal data will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the asset freeze or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

Data subjects may have recourse to the European Data Protection Supervisor in accordance with Regulation (EC) No 45/2001.

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25 October 2018

1 euro =

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<th>Currency</th>
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<th>Currency</th>
<th>Exchange rate</th>
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<tr>
<td>USD US dollar</td>
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<td>CAD Canadian dollar</td>
<td>1,4893</td>
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<tr>
<td>JPY Japanese yen</td>
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<td>DKK Danish krone</td>
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<td>KRW South Korean won</td>
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<td>CHF Swiss franc</td>
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<td>ZAR South African rand</td>
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<td>BGN Bulgarian lev</td>
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<td>IDR Indonesian rupiah</td>
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<td>CZK Czech koruna</td>
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<td>MYR Malaysian ringgit</td>
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<td>HUF Hungarian forint</td>
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<td>RON Romanian leu</td>
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<tr>
<td></td>
<td></td>
<td>INR Indian rupee</td>
<td>83,6525</td>
</tr>
</tbody>
</table>

(1) Source: reference exchange rate published by the ECB.
PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration
(Case M.8492 — Quaker/Global Houghton)
(Text with EEA relevance)
(2018/C 388/10)

1. On 19 October 2018, the Commission received notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:

— Quaker Chemical Corporation (‘Quaker’, US),


Quaker acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of Houghton.

The concentration is accomplished by way of purchase of shares.

The same concentration was already notified to the Commission on 2 February 2018, but the notification was subsequently withdrawn on 16 March 2018.

2. The business activities of the undertakings concerned are:

— Quaker: active in the development and marketing of custom-formulated chemical specialty products. Quaker is a global provider of process fluids, chemical specialty products and technical expertise to a wide range of industries,

— Houghton: active in the development, production and management of specialty chemicals, oils and lubricants. Houghton sells its products to a wide variety of industries.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

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. The following reference should always be specified:

M.8492 — Quaker/Global Houghton

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:
European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIE
Prior notification of a concentration
(Case M.9132 — ICF Novedis/CDC Habitat/Swiss Life REIM/Foncière Vesta)
Candidate case for simplified procedure
(Text with EEA relevance)
(2018/C 388/11)

1. On 18 October 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:
— ICF Novedis SA (‘ICF Novedis’, France), belonging to the SNCF group (France),
— CDC Habitat SAEM (‘CDC Habitat’, France), belonging to the Caisse des Dépôts et Consignations group (France),
— Swiss Life REIM (France) SA (‘Swiss Life REIM’, France), belonging to the Swiss Life group (Switzerland).

ICF Novedis, CDC Habitat and Swiss Life REIM acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Foncière Vesta, a company that owns a property portfolio that was until now controlled solely by the SNCF group.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:
— ICF Novedis: housing subsidiary of the SNCF group, an undertaking operating in the transport of passengers and goods,
— CDC Habitat: public-interest property subsidiary of the Caisse des Dépôts et Consignations active in the social housing and affordable housing sectors,
— Swiss Life REIM: asset management company wholly owned and controlled by the Swiss Life group operating in the insurance and asset management sector.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the 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 Council Regulation (EC) No 139/2004 (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 no later than 10 days following the date on which this notification is published. The following reference should always be specified:
M.9132 — ICF Novedis/CDC Habitat/Swiss Life REIM/Foncière Vesta

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:
Email: COMP-MERGER-REGISTRY@ec.europa.eu
Fax +32 22964301
Postal address:
European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Prior notification of a concentration

(Case M.8988 — Energizer/Spectrum Brands (Battery and Portable Lighting Business))

(Text with EEA relevance)

(2018/C 388/12)

1. On 19 October 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:
— Energizer Holdings, Inc. (USA),
— Global Battery and Portable Lighting Business of Spectrum Brands Holdings, Inc (USA).

Energizer Holdings, Inc. (‘Energizer’) will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the Global Battery and Portable Lighting Business of Spectrum Brands Holdings, Inc. (‘Spectrum Brands’ Battery and Portable Lighting Business’).

The concentration is accomplished by way of purchase of shares and assets.

2. The business activities of the undertakings concerned are:
— Energizer is a global company, headquartered in the USA, whose main business is the manufacture and marketing of consumer batteries. Energizer’s batteries are sold around the world, including in the EEA, under the Energizer and Eveready brands. Energizer is also active in the sale of portable chargers for rechargeable batteries and portable lighting products,
— Spectrum Brands’ Battery and Portable Lighting Business comprises Spectrum’s worldwide business in consumer batteries, portable lighting products and portable chargers for rechargeable batteries sold under the brands of Spectrum and its affiliates (including Varta and Rayovac).

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

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. The following reference should always be specified:

M.8988 — Energizer/Spectrum Brands (Battery and Portable Lighting Business)

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu
Fax +32 22964301
Postal address:
European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Prior notification of a concentration
(Case M.9146 — ArcelorMittal/Nippon Steel & Sumitomo Metal Corporation/Essar Steel India)
Candidate case for simplified procedure
(Text with EEA relevance)
(2018/C 388/13)

1. On 17 October 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:

— Essar Steel India Ltd (‘Essar’, India),
— ArcelorMittal SA (‘ArcelorMittal’, Luxembourg),
— Nippon Steel & Sumimoto Metal Corporation (‘NSSMC’, Japan).

ArcelorMittal and NSSMC acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of Essar. The concentration is accomplished by way of a purchase of shares.

2. The business activities of the undertakings concerned are:

— for Essar: integrated steel manufacturer with manufacturing facilities located in India and Indonesia. Essar steel has no manufacturing facilities in the EEA. Essar’s steel products are mainly sold on the domestic market in India but also worldwide, including the EEA. These products include hot-rolled products (including quarto plates), cold-rolled products, large diameter steel pipes, and surface coated products. Essar is only active in flat carbon steel products, except welded pipes and welded beams which are fabricated from flat sheets/coils,

— for ArcelorMittal: global steel and mining company, whose principal business is the production, distribution, marketing, and sale of steel products. It produces a range of semi-finished and finished steel products, including flat and long carbon steel products. It supplies steel for various applications including automotive, construction, household appliances and packaging,

— for NSSMC: the manufacture and supply of steel products such as steel plate and sheets, steel bars and sections, wire rods, steel pipes and tubes, as well as stainless steel products and titanium products. Its products are primarily produced in Japan and its sales are focused on Asian markets, primarily Japan.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the 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 Council Regulation (EC) No 139/2004 (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. The following reference should always be specified:

M.9146 — ArcelorMittal/Nippon Steel & Sumitomo Metal Corporation/Essar Steel India

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIÉ
Prior notification of a concentration
(Case M.9161 — Brookfield/M Finance Capital/ECLA Paris Massy-Palaiseau Companies)
Candidate case for simplified procedure
(Text with EEA relevance)
(2018/C 388/14)

1. On 19 October 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:
— Brookfield Asset Management Inc. (‘Brookfield’, Canada)
— M Finance Capital SAS (France)
— ECLA Paris Massy-Palaiseau Companies (France).

Brookfield acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of M Finance Capital SAS and ECLA Paris Massy-Palaiseau Companies.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:
— for Brookfield: global asset manager with a focus on property, renewable power, infrastructure and private equity,
— for M Finance Capital SAS: active in real estate development, student residences management and apartment-hotels management in France and Belgium,
— for ECLA Paris Massy-Palaiseau Companies: owner of one residency located in France and subcontracting the operation of that property.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the 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 Council Regulation (EC) No 139/2004 (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. The following reference should always be specified:

M.9161 — Brookfield/M Finance Capital/ECLA Paris Massy-Palaiseau Companies

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu
Fax +32 22964301
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European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIE

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