

COMMISSION DECISION

of 20 December 1979

extending the authorization for the formation of the **Groupement Européen du Manganèse** by **Société Nouvelle des Aciéries de Pompey, Compagnie Universelle d'Acétylène, Société Française d'Électro-Métallurgie and Eurominas Electrometallurgia**

(Only the French text is authentic)

(80/101/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 65 thereof,

Having regard to Commission Decision 74/509/ECSC of 2 October 1974 authorizing the formation by Société Nouvelle des Aciéries de Pompey, Compagnie Universelle d'Acétylène, Société Française d'Électro-Métallurgie and Eurominas Electrometallurgia of a Groupement Européen du Manganèse ⁽¹⁾,

Having regard to the application made on 12 July 1979 by the Groupement Européen du Manganèse,

Whereas :

1. By Decision 74/509/ECSC of 2 October 1974 the Commission, acting under Article 65 (2) of the ECSC Treaty, authorized until 1 October 1979 the formation of the Groupement Européen du Manganèse (GEM) by Société Nouvelle des Aciéries de Pompey (SNAP), Compagnie Universelle d'Acétylène (CUA), Société Française d'Électro-Métallurgie (Sofrem) and Eurominas Electrometallurgia (Eurominas).
2. By letter dated 12 July 1979 GEM requested the Commission to extend the authorization given on 2 October 1974.
3. In May 1979, following an increase in Eurominas' capital, the distribution of the capital between shareholders was altered, but CUA, Sofrem and SNAP retain a majority shareholding. The distribution of shares and votes among the members of GEM has not changed.
4. The total capital of SNAP was recently acquired by Sacilor — Aciéries et Laminoirs de Lorraine — (Sacilor), which is therefore in a position to control SNAP within the meaning of Decision No 24-54 ⁽²⁾. SNAP is accordingly concentrated with the Sacilor

Group, but as none of the firms in that Group produces ferro-manganese, Sacilor's involvement in GEM will not affect competition on the production side.

5. The Sacilor Group is, however, a consumer of ferro-manganese and may therefore obtain at least part of its supplies of that product from GEM. When granting authorization in 1974 the Commission estimated the probable annual sales in the EEC of ferro-manganese produced by Eurominas at between 30 000 and 40 000 tonnes. Only 4 600 tonnes were in fact sold in 1978, representing 0.5 % of Community consumption.

GEM estimates that its sales in 1979 will be 12 500 tonnes, representing 1.4 % of Community production. The general classification of GEM's size in sales terms which was used as a basis for the 1974 Decision may still be considered valid in present market conditions.

6. Throughout the period of this agreement GEM has sold only the production of Eurominas. SNAP, CUA and Sofrem have fully maintained their business independence.

7. Accordingly, the considerations accepted by the Commission on 2 October 1974 when granting authorization until 1 October 1979 for the agreement between the parties that formed GEM remain valid; this agreement therefore continues to satisfy the tests for authorization laid down in Article 65 (2) of the Treaty and may accordingly continue to be authorized,

HAS ADOPTED THIS DECISION :

Article 1

Commission Decision 74/509/ECSC of 2 October 1974 authorizing the agreement for the formation of Groupement Européen du Manganèse by the iron

⁽¹⁾ OJ No L 286, 23. 10. 1974, p. 16.

⁽²⁾ Official Journal of the European Coal and Steel Community of 11 May 1954, p. 345.

and steel undertakings Société Nouvelle des Aciéries de Pompey, Neuilly-sur-Seine, Compagnie Universelle d'Acétylène, Paris, Société Française d'Électro-Métallurgie, Paris and Eurominas Electrometalurgia, Lisbon, is extended until 31 December 1984.

Article 2

This Decision shall take effect from 2 October 1979.

Article 3

This Decision is addressed to Groupement Européen du Manganèse, 6 rue Pigalle, 75009 Paris.

Done at Brussels, 20 December 1979.

For the Commission

Raymond VOUEL

Member of the Commission
