

**COMMISSION DECISION**

of 22 March 1972

**extending the authorization granted to the wholesale steel dealers grouped within the Stahlring Company and Stahlring GmbH, Stahleinkaufsgesellschaft to effect joint buying of rolled steel****(Only the German text is authentic)****(72/153/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 Decision No 15/67<sup>1</sup> of the High Authority of the European Coal and Steel Community of 14 June 1967 authorizing the joint buying of rolled steel by the wholesale steel dealers grouped within the Stahlring Company and Stahlring GmbH Stahleinkaufsgesellschaft;

Having regard to the application made by Stahlring GmbH, Stahleinkaufsgesellschaft, Düsseldorf, on 11 November 1971;

Whereas pursuant to Article 65 (2) the High Authority by Decision No 15/67 of 14 June 1967 gave authorization until 31 December 1971 to the wholesale steel dealers grouped within the civil law company Stahlring (Stahlring GbR) and Stahlring GmbH Stahleinkaufsgesellschaft (Stahlring GmbH) to effect the joint buying of rolled steel;

Whereas the parties concerned have by letter of 11 November 1971 stated that they wished to extend the existing joint buying arrangement for an indefinite period on the basis of the amended statutes of Stahlring GbR and have requested extension of the authorization accordingly;

Whereas the amendments to the statutes of Stahlring GbR cover the following main points: the board of management of Stahlring GmbH must whenever possible include a member from each of the three regions; it is the general meeting of members of Stahlring GbR which decides on the admission of new members by a 75 % majority of all the votes of the

members and which approves the report of the board of management of Stahlring GmbH; the obligation on members of Stahlring GbR to order in each half year 50 % of the quantity they are committed to buy is cancelled;

Whereas, therefore, the amended statutes of Stahlring GbR do not contain any amendment relevant to an assessment of the conditions of competition; whereas Stahlring GbR now has 41 members;

Whereas no amendment has been made to the statutes of Stahlring GmbH apart from an increase in the capital of the company from DM 200 000 to DM 1 000 000;

Whereas the increase in the number of members of Stahlring GbR since 1967 has not led to the dealers concerned acquiring a market position in the buying and selling of rolled steel exceeding in magnitude that of other dealers on the German market;

Whereas it appears from the report submitted to the Commission in accordance with Article 2 of Decision No 15/67 that joint buying has in fact led to a substantial improvement in distribution; whereas the Commission considers therefore that it can henceforth dispense with the condition laid down in Article 2 of the Decision No 15/67;

Whereas, in the circumstances, the grounds on which the High Authority authorized the agreements between the dealers concerned from 20 June 1967 to 31 December 1971 are still valid as also the grounds on the basis of which conditions were imposed on those dealers, save the condition laid down in Article 2 of Decision No 15/67;

Whereas, therefore, those agreements continue to fulfil the conditions for their authorization laid down in Article 65 (2) of the Treaty, and may be authorized,

HAS ADOPTED THIS DECISION:

<sup>1</sup> OJ No 127, 27.6.1967, p. 2517/67.

*Article 1*

The period of validity of Decision No 15/67 authorizing the joint buying of rolled steel by wholesale steel dealers, listed in the Annex to this Decision, is hereby extended until 31 December 1975.

*Article 2*

This Decision shall enter into force as from 1 January

1972 and is addressed to Stahlring GmbH, Stahleinkaufsgesellschaft, Düsseldorf.

Done at Brussels, 22 March 1972.

*For the Commission*

*The President*

S. L. MANSHOLT

## ANNEX

## Members of Stahlring GbR as of 1 January 1972

1. C. W. Adam und Sohn GmbH, Oker/Harz
  2. P. H. Brauns, Hannover
  3. Wilh. Bredemeier KG, Braunschweig
  4. Louis Eilers & Co., Hannover-Herrenhausen
  5. C. Hempelmann GmbH, Hildesheim
  6. Eirch Hoselmann, Hannover
  7. Heinrich Hottenrott, Goslar
  8. W. Logemann KG, Oldenburg
  9. Seiler & Schläfke GmbH, Hannover-Wülfel
  10. August Schroeder, Hannover
  11. F. W. Schwemann, Hildesheim
  12. Schwemann & Stücke KG, Hannover
  13. Friedr. Vater & Co., Braunschweig
  14. Vetter & Co., Bremerhaven
  15. Walzstahlhandel Nord, Erich Frei KG, Braunschweig
  16. Wullbrandt & Seele, Braunschweig
  17. Hollinde & Boudon KG, Dortmund-Aplerbeck
  18. Wilhelm Josten Söhne, Neuss
  19. August Kirbert, Wuppertal-Elberfeld
  20. Montan-Handelsges. Richter & Co., Düsseldorf
  21. Carl Pohle, Rheydt
  22. Rheineisen GmbH, Düsseldorf
  23. J. Willems & Co., Düsseldorf-Oberkassel
  24. Leopold Hugo Zell, Wuppertal-Barmen
  25. Louis Coers KG, Lünen
  26. Johann Becker GmbH, Saarbrücken
  27. Wilhelm Gauer, Kitzingen
  28. Gebrüder Glatt, Freiburg
  29. Konrad Haller KG, Stuttgart-Feuerbach
  30. E. Hochapfel GmbH, Saarbrücken
  31. Chr. Kautz Nachf. KG, Saarbrücken
  32. Ulrich Adam Knapp, Reutlingen
  33. Lindemann & Frankfurth, Kassel-B
  34. Gebr. Lotter KG, Ludwigsburg
  35. Louis Marburg & Söhne GmbH, Frankfurt/M
  36. Gebr. Reinhard, Würzburg
  37. Saarbrücker Eisenhandelsges. mbH, Saarbrücken
  38. Gustav Schedler, Heilbronn
  39. C. Schrade KG, Neckarsulm
  40. Eisen-Stähle KG, Nürnberg
  41. Nagel & Merz, Saarbrücken
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