

23. 02. 2018

Brussels,
Ares(2018) 588810

Honourable Member Rosa D'Amato,

Thank you for your letter dated 31 January 2018, in which you raise a number of questions regarding the proposed acquisition of Ilva by ArcelorMittal as well as the environmental plan for Ilva.

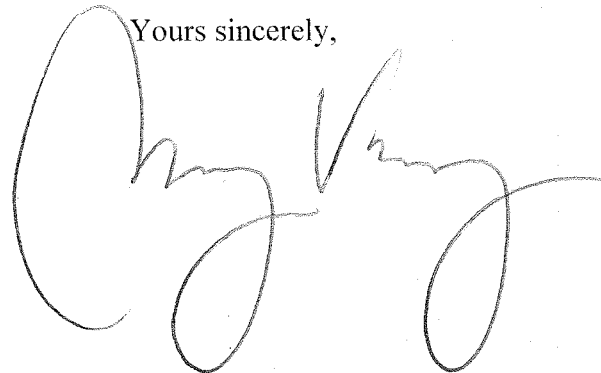
First, the proposed acquisition was notified to the Commission on 21 September 2017, and an in-depth investigation was opened on 8 November. The Commission has not yet reached a conclusion as regards competition concerns, nor as regards possible remedies. The deadline for a final decision is provisionally set for 4 April 2018.

In this regard I would like to clarify that the Commission does not request specific divestitures in the context of merger proceedings. The Commission's task is to identify whether the proposed transaction raises competition concerns; it is the responsibility of the companies involved to decide how to address those concerns.

Second, it was the Italian government's responsibility to choose a bidder in line with Italian and European law. It is not the Commission's responsibility, under merger proceedings, to review the criteria for the choice. In the context of the merger investigation, the Commission has to verify instead whether the acquisition by the chosen bidder may result in harm to customers, for instance through price increases. As clarified above, the Commission has not yet reached a final conclusion on this matter.

Finally, regarding the environmental plan, on 29 September 2017, the Italian government issued a Decree on the new environmental plan setting up the roadmap for compliance with environmental laws by ArcelorMittal, subject to clearance of the acquisition under EU merger control rules. It is the Commission's understanding that a production cap has been imposed until full compliance with environmental legislation is reached. If the acquisition is approved, the production cap should work as an incentive to achieve compliance. This matter, however, does not relate to the ongoing merger investigation, but to the infringement procedure for the breach of the Industrial Emissions Directive. This procedure is still pending and it is closely monitored by DG Environment under the guidance of my colleague, Commissioner Vella.

Yours sincerely,



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