

include interrogatory-type questions as well as a request for the production of documents.

Information under the Hart-Scott-Rodino Act received by the enforcement agencies in the initial filing and in response to a second request is exempt from disclosure under the Freedom of Information Act and therefore cannot be obtained by a third party. No such information may be made public. (There are exceptions for administrative or judicial proceedings and disclosures to duly authorized Congressional committees).

In the EC, a special form CO must be used to notify mergers in one of the official languages of the Community. It must be completed jointly on behalf of all parties or by the acquiror or bidder in the case of an acquisition or public bid. The following information is required:

- a) details of the notifying party, the parties to the merger, an address for service in Brussels, and the details of representatives;
- b) a brief description of the nature of the merger, its legal form, the economic sectors involved, and the economic and financial details of the merger, including the parties' turnover for the last three financial years worldwide, Community-wide and broken down by Member State, profits before tax, number of employees, etc.;
- c) full details of the premerger structure of ownership and control, the parent, subsidiary and sister companies;
- d) details of personal and financial links between each party concerned and other undertakings active on the same markets;
- e) data on each of the relevant product markets affected by the merger for the last three financial years broken down by Member State and other relevant geographical markets, values of markets, market shares, turnover, prices, value, imports, exports, and the most important aspects of business strategy;
- f) information on the general conditions in each of the affected markets, including barriers to entry, vertical integration of the parties, research and development, distribution and service systems, the competitive environment, co-operative agreements, trade associations, and the worldwide context of the merger; and