



Department of Justice

January 7, 1991

SUMMARY OF ANTITRUST ENFORCEMENT ACTIONS
FOR PUBLIC RELEASE
FOR WEEK OF MONDAY, DEC. 31, 1990 THROUGH FRIDAY, JAN. 4, 1991

1/3/91 U.S v. Nippon Sanso K.K.; Matheson Gas Products, Inc.;
Hercules Incorporated; and Semi-Gas Systems, Inc.
Civil No.: 91-0041 (E.D. Pa.)

A civil complaint was filed in Philadelphia, Pennsylvania, challenging the proposed acquisition of Semi-Gas Systems of San Jose, California, by Nippon Sanso of Tokyo, Japan because the proposed acquisition would violate Section 7 of the Clayton Act by substantially lessening competition in the production and sale of gas cabinets in the United States. The proposed acquisition would combine the two leading producers of gas cabinets in the world and substantially increase Semi-Gas Systems' dominant position in the United States market. Nippon Sanso produces gas cabinets in the United States through a wholly owned subsidiary, Matheson Gas Products of Secaucus, New Jersey. Gas cabinets are used to distribute specialty gases for semiconductor fabrication.

1/3/91 U.S. v. General Cinema Corporation
Civil No.: 91 0008 (D.D.C.)

A civil complaint was filed in U.S. District Court in the District of Columbia, at the request of the Federal Trade Commission, against General Cinema Corporation to recover a civil penalty for violation of Section 7A of the Clayton Act, 15 U.S.C. § 18a, commonly known as the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (Hart-Scott-Rodino Act). The Hart-Scott-Rodino Act

prohibits certain acquisitions of voting securities or assets until after a notification and report form has been filed with the Department of Justice and the Federal Trade Commission, and a waiting period has expired. General Cinema Corporation, which is incorporated in the State of Delaware and has its principal executive office in Chestnut Hill, Massachusetts, is a motion picture exhibitor and department store retailer, and during the relevant period was also in the carbonated soft drink industry. On or about September 3, 1986, General Cinema began to acquire voting securities of Cadbury Schweppes, with its aggregate total amount of value exceeding \$15 million on or about September 11, 1986, and continued to acquire voting securities of Cadbury Schweppes through about January 26, 1987. The complaint alleges that the defendant was in violation of the Hart-Scott-Rodino Act each day during the period beginning on or about September 11, 1986, and ending on or about February 25, 1987, a total of 168 days. Under 15 U.S.C. § 18a(g)(1) any person who fails to comply with the Hart-Scott-Rodino Act shall be liable to the United States for a civil penalty of not more than \$10,000 for each day during which such person is in violation of the Hart-Scott-Rodino Act.

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Copies of legal filings are available from the Legal Procedure Unit, Antitrust Division, Room 3233, Telephone No.: 514-2481.