

BHP BILLITON LTD  
Form 6-K  
October 26, 2010

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# SECURITIES AND EXCHANGE COMMISSION

Washington, DC 20549

## FORM 6-K

### REPORT OF FOREIGN PRIVATE ISSUER

Pursuant to Rule 13a-16 or 15d-16 of

the Securities Exchange Act of 1934

October 25, 2010

| <u>Commission File Number</u> | <u>Translation of registrant's name into English; Address of principal executive offices</u> |
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|  | BHP Billiton Limited (ABN 49 004 028 077)<br>180 LONSDALE STREET, MELBOURNE, VICTORIA<br>3000 AUSTRALIA |
|--|---|

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|---|---|
| - | BHP Billiton Plc (REG. NO. 3196209)<br>NEATHOUSE PLACE, VICTORIA, LONDON,<br>UNITED KINGDOM |
|---|---|

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Indicate by check mark whether the registrant files or will

file annual reports under cover of Form 20-F or Form 40-F.

Form 20-F  Form 40-F

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(1):

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(7):

Indicate by check mark whether the registrant by furnishing the

information contained in this form is also thereby furnishing the

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information to the Commission pursuant to Rule 12g3-2(b) under the  
Securities Exchange Act of 1934.

Yes  No

If "Yes" is marked, indicate below the file number assigned to the  
registrant in connection with Rule 12g3-2(b): 82-.

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NEWS RELEASE

Release Time IMMEDIATE

Date 14 October 2010

Number 26/10

RESPONSE TO GERMAN FEDERAL CARTEL OFFICE (BUNDESKARTELLAMT) ANNOUNCEMENT

BHP Billiton and Rio Tinto have noted with disappointment the statement today by the German Federal Cartel Office (FCO) that its current intention is to prohibit the companies' proposed iron ore production joint venture in Western Australia.

The German regulatory process continues and the parties are expecting to receive a formal notification next week.

The parties continue to believe that the joint venture is pro-competitive and will increase the supply of iron ore. However, both BHP Billiton and Rio Tinto acknowledge the concerns expressed by some regulators and the obstacles to achieving clearance for the joint venture.

No decisions about next steps have been taken at this stage while regulatory discussions continue.

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Members of the BHP Billiton group which is headquartered in Australia

Further information on BHP Billiton can be found on our Internet site: [www.bhpbilliton.com](http://www.bhpbilliton.com)

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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

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Date : October 25, 2010

BHP Billiton Limited (ABN 49 004 028 077)

By: /s/ Jane McAloon

Name: Jane McAloon

Title: Group Company Secretary