

**Pronouncement of the Final Decision Regarding the Investigation about
Certain Undertakings Operating in the Market for the Production and Sale of
Ready-Mixed Concrete and Cement in Aydın According to Article 49 of the Act
no 4054 on the Protection of Competition**

According to the Report prepared and the Additional Opinion, evidence collected, written pleas, the explanations made during the oral hearing and the scope of the file examined within the scope of the investigation conducted per the Competition Board decisions dated 26.10.2023 and numbered 23-50/955-M and dated 29.02.2024 and numbered 24- 11/180-M, it was decided UNANIMOUSLY that

I. Operating in the cement market,

1. Çimentaş İzmir Çimento Fabrikası Türk AŞ, violated article 4 of the Act no 4054 on the Protection of Competition through mediating for the implementation of an agreement on allocating customers between some of the undertakings operating in the production and sale of ready-mixed concrete in Didim district of Aydın,
2. Consequently, administrative fines shall be imposed according to article 16(3) of the Act no 4054, within this scope, according to article 5(1), 5(2), 6(1) and 7 of the Regulation on Fines to Apply in cases of Agreements Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, which was published in the Official Gazette dated 27.12.2024 and no 32765, on the basis of the annual gross revenues in 2023, by discretion
 - Çimentaş İzmir Çimento Fabrikası Türk AŞ shall be imposed 37.370.945,14 -TL,

administrative fines,

II.

1. Of the undertakings party to the investigation which operate in the ready-mixed concrete market
 1. Batıbeton Sanayi AŞ,
 2. Öztürk Ticaret.,
 3. Şölen Çimento Yapı İnş. San. ve Tic. Ltd. Şti.

violated article 4 of the Act no 4054 on the Protection of Competition through price fixing and/or allocation of customers/regions with their competitors,

2. Consequently, administrative fines shall be imposed according to article 16(3) of the Act no 4054, within this scope,
 - according to article 5(1), 5(2), 5(3)(b) and 7 of the Regulation on Fines to Apply in cases of Agreements Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, which was published in the Official Gazette dated 27.12.2024 and no 32765, on the basis of the annual gross revenues in 2023, by discretion, Batıbeton Sanayi AŞ shall be imposed 37.851.666.03TL
 - according to article 5(1), 5(2), and 7 of the aforementioned Regulation, on the basis of the annual gross revenues in 2023, by discretion Öztürk Ticaret shall be imposed 28.308,08-TL

- according to article 5(1), 5(2), 5(3)(d) and 7 of the aforementioned Regulation , on the basis of the annual gross revenues in 2023, by discretion, Şölen Çimento Yapı İnş. San. ve Tic. Ltd. Şti. shall be imposed 1.216.947,91-TL administrative fines.

III. Since no finding was obtained indicating that Batıçim Batı Anadolu Çimento Sanayii AŞ, Beton-Taş Hazır Beton San. ve Tic. Ltd. Şti., Çimbeton Hazırbeton ve Prefabrik Yapı Elemanları San. ve Tic. AŞ, Kabasakal Beton Anonim Şirketi, Serttaş İnşaat Taah. Tur. Maden San. ve Tic. Ltd. Şti and Türen Yapı Malzemeleri İnşaat Nak. San. ve Tic. Ltd. Şti, which are the other parties to the investigation, it was not necessary to impose administrative fines to the said undertakings under the scope of article 16 of the Act no 4054 on the Protection,

with the decision subject to review before Ankara Administrative Courts within 60 days as of the notification of the reasoned decision.