

**Pronouncement of the Final Decision Regarding the Investigation about Erbak
Uludağ Pazarlama Satış ve Dağıtım AŞ According to Article 49 of the Act no
4054 on the Protection of Competition**

Within the scope of the investigation conducted per the Competition Board Decision dated 05.05.2023 and numbered 23-23/384-M to determine whether article 4 of the Act no 4054 on the Protection of Competition was violated, the final settlement text sent by Erbak Uludağ Pazarlama Satış ve Dağıtım AŞ depending on the interim decision of the Board dated 14.09.2023 and numbered 23-43/828-MUA entered the registry of the Authority on 29.09.2023 with the number 43055 in time. In the settlement text, the undertaking clearly accepted the existence and the scope of the violation as well as the rate and amount of the maximum administrative fine provided in the settlement interim decision; it has been decided UNANIMOUSLY and with different reasons of Board Members Hasan Hüseyin ÜNLÜ and Berat UZUN that;

1. Erbak Uludağ Pazarlama Satış ve Dağıtım AŞ violated article 4 of the Act no 4054 on the Protection of Competition by means of determining the resale prices of its buyers,
2. Therefore, according to Article 16(3) of the Act no 4054 and Article 5(1)(b), 5(2), 5(3)(b) and 7(1) of the Regulation on Fines to Apply in cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, at a certain rate of the annual gross revenues in 2022, by discretion, the undertaking shall be imposed 22.442.256,00-TL administrative fines,
3. 25% reduction shall be made in the administrative fines to be imposed to the undertaking as a result of the settlement procedure according to article 43(7) of the Act no 4054 and article 4(4) of the “Regulation on the Settlement Procedure Applicable In Investigations On Agreements, Concerted Practices And Decisions Restricting Competition And Abuses Of Dominant Position”,
4. Within this framework, as a result of the settlement procedure, at a certain rate of the annual gross revenues in 2022, by discretion, the undertaking shall be imposed 16.831.692,00-TL administrative fines,
5. Therefore, the investigation conducted per the Competition Board decision dated 05.05.2023 and numbered 23-23/384-M shall be concluded with settlement,

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