

**Pronouncement of the Final Decision Regarding the Investigation About 15
Undertakings Which Deal with Wholesale Banana Trade in Bařyazı and Anamur
Districts of Mersin and an Association of Undertakings According to Article 49 of the
Act No 4054 on the Protection of Competition**

According to the Report prepared, the Additional Opinion, the evidence collected, written pleas, the explanations made during the oral hearing and the scope of the file examined regarding the investigation conducted per the Board decision dated 17.12.2020 and numbered 20-54/755-M in order to assess whether 15 undertakings which deal with wholesale banana trade in Bařyazı and Anamur districts of Mersin and an association of undertakings violated the Act no 4054, it was decided UNANIMOUSLY that

a) The following parties to the investigation violated article 4 of the Act no 4054 on the Protection of Competition:

Ayyıldız Gıda Tarım Ürünleri İnřaat Malzemeleri Tařımacılık Mobilya Sanayi ve Ticaret Ltd. řti.
and

Bozyazı Komisyoncular Derneęi (Bozyazı Association of Middlemen)

b) Therefore, according to third paragraph of Article 16 of the Act no 4054 and Article 5(1)(b), 5(3)(a) 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, depending on the annual gross revenues which generated at the end of the fiscal year 2020 and which is determined by the Board, by discretion,

- Ayyıldız Gıda Tarım Ürünleri İnřaat Malzemeleri Tařımacılık Mobilya Sanayi ve Ticaret Ltd. shall be imposed 4.916,58.-TL administrative fines

c) - Bozyazı Komisyoncular Derneęi cannot be imposed administrative fines, as it does not have any revenues and/or net sales.

d) The following undertakings did not violate article 4 of the Act no 4054:

1. Ahmet Gilik Gilikler Yař Meyve ve Sebze Ticareti,
2. Ahmet Koçluk Kuzu Komisyon Evi,
3. Deniz Turizm ve Otelcilik Anonim řirketi,
4. Doęan Tarım Ürünleri Nakliyat ve Otomotiv Sanayi Ticaret Ltd. řti.,
5. Fehmi Çiçek Komisyon Evi,
6. Halil Ulutař-Akıřlar Yař Sebze Meyve Ticareti,
7. Karaoęlu Hırdavat Tarım Ürünleri Sanayi ve Ticaret Ltd. řti.,
8. Osman Özdeniz Özdeniz Tarım Ürünleri,
9. Osman Yılmaztürk-Yılmaztürkler Sarartma,
10. Sedat Güęül-Güęül Komisyon Evi,
11. Seracettin Akı Bizim Yař Meyve ve Sebze Ticareti,
12. Süleyman Özdeniz Özdenizler Komisyon,

13. Şahin Yađlı Tohumlar Tarım Ve Zirai Ürünler Paz. İnş. Tur. Tic. ve San. Ltd. Şti.,
14. Tamer Dođan Dođan Kardeşler Yaş Sebze ve Meyve Ticareti

Therefore it is not necessary to impose administrative fines on the said undertakings. The decision can be appealed before Ankara Administrative Courts within 60 days as of the notification of the reasoned decision.