

Pronouncement of the final decision for the investigation conducted about Novartis Sağlık Gıda ve Tarım Ürünleri San. ve Tic. A.Ş. and Roche Müstahzarları San. A.Ş. Pursuant to Article 49 of the Act no 4054 on the Protection of Competition

As a result of the investigation conducted to determine whether Novartis Sağlık Gıda ve Tarım Ürünleri San. ve Tic. A.Ş. and Roche Müstahzarları San. A.Ş. violated Article 4 of the Act no 4054 in order to increase the use of Lucentis, which is more expensive than Altuzan - both used for eye diseases- all evidence, information and documents collected, the Report prepared, the Additional Opinion, written defenses and statements in the hearing were evaluated and the following final decision no 21-04/52-21 was taken in the Competition Board meeting on 21.01.2021:

1) It was UNANIMOUSLY decided that Novartis Sağlık Gıda ve Tarım Ürünleri San. ve Tic.A.Ş. and Roche Müstahzarları San.A.Ş. violated Article 4 of the Act no 4054,

2) ) For this reason, it was UNANIMOUSLY decided that pursuant to paragraph 3 of article 16 of the Act no 4054 and article 5(1)(a), 5(2) and 5(3)(b) of the Regulation on Fines to Apply in Cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, on the basis of the annual gross income generated at the end of the fiscal year 2019 and determined by the Board,

- Novartis Sağlık Gıda ve Tarım Ürünleri San. ve Tic. A.Ş. shall be imposed 165.464.716,48 TL,

- Roche Müstahzarları San. A.Ş. shall be imposed 112.972.552,65 TL administrative fines.

Judicial review is possible at Ankara Administrative Courts in 60 days as of the notification of the reasoned decision.