

Announcement of the Final Decision Regarding the Investigation about 19 Undertakings Active in Chicken Meat Production and Association of Poultry Meat Producers and Breeders According to Article 49 of the Act no. 4054 on the Protection of Competition

As a result of the investigation whether undertakings active in chicken meat production violated article 4 of the Act no. 4054, considering all the evidence, information and documents collected, the report prepared, written defense and the explanations made during the oral hearing, the Competition Board took the final decision numbered 19-12/155-70 in the meeting dated 13.03.2019. Accordingly, it was decided

1. a) by majority of votes and with different reasons stated by the Board Member Hasan Hüseyin Ünlü that the following undertakings violated article 4 of the Act no. 4054 by means of price fixing and/or sharing information to control supply in the Aegean Region:
 - Abaloğlu Yem-Soya ve Tekstil Sanayi A.Ş.,
 - Banvit Bandırma Vitaminli Yem Sanayi A.Ş.,
 - Beypi Beypazarı Tarımsal Üretim Paz. San. ve Tic. A.Ş.,
 - CP Standart Gıda San. ve Tic. A.Ş.,
 - Ege-Tav Ege Tarım Hayvancılık Yat. Tic. ve San. A.Ş.,
 - Er Piliç Entegre Tavukçuluk Üretim Pazarlama ve Tic. A.Ş.,
 - Gedik Tavukçuluk ve Tarım Ürünleri Tic. San. A.Ş.,
 - Keskinoğlu Tavukçuluk ve Damızlık İşl. San. Tic. A.Ş.
 - Şenpiliç Gıda San. A.Ş.

b) By majority of votes that Association of Poultry Meat Producers and Breeders violated article 4 of the Act no. 4054 by means of its activities facilitating anticompetitive practices,

2. By majority of votes that according to third paragraph of Article 16 of the Act

a) and Article 5(1)(b), 5(2)(a) and 5(3)(a) of the Regulation on Fines to Apply in cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, administrative fines amounting to 0.75% of the annual gross income accrued at the end of the financial year 2018 and determined by the Board, shall be imposed to the following undertakings:

- Ege-Tav Ege Tarım Hayvancılık Yat. Tic. ve San. A.Ş.
- Gedik Tavukçuluk ve Tarım Ürünleri Tic. San. A.Ş.
- Keskinoğlu Tavukçuluk ve Damızlık İşl. San. Tic. A.Ş.
- Association of Poultry Meat Producers and Breeders

b) According to Article 5(1)(b), 5(2) and 5(3)(a) and 6(1)(a) the Regulation on Fines to Apply in cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, administrative fines amounting to 1.125 % of the annual gross income accrued at the end of the financial year 2018 and determined by the Board, shall be imposed to the following undertakings:

- Abaloğlu Yem-Soya ve Tekstil Sanayi A.Ş.
- Banvit Bandırma Vitaminli Yem Sanayi A.Ş.
- Beypi Beypazarı Tarımsal Üretim Paz. San. ve Tic. A.Ş.
- CP Standart Gıda San. ve Tic. A.Ş.

- Er Piliç Entegre Tavukçuluk Üretim Pazarlama ve Tic. A.Ş.
- Şenpiliç Gıda San. A.Ş.

(The total amount of administrative fines imposed to all undertakings is 156,703,143.74)

3.

a) It was decided by majority of votes that Ak Piliç Tic. Ltd. Şti. did not violate article 4 of the Act no. 4054; therefore it was not necessary to impose administrative fines.

b) It was decided unanimously that the following undertakings did not violate article 4 of the Act no. 4054; therefore, it was not necessary to impose administrative fines to the said undertakings:

- As Tavukçuluk Tarım İşl. San. ve Tic. Ltd. Şti.,
- Bakpiliç Entegre Tavukçuluk A.Ş.,
- Bupiliç Entegre Gıda San. Tic. A.Ş.,
- Garip Tavukçuluk Gıda ve Yem San Tic. A.Ş.,
- Hastavuk Gıda Tarım Hayvancılık San. ve Tic. A.Ş.,
- Pilyem Gıda Tarım Sanayi ve Ticaret A.Ş.,
- Şahin Tavukçuluk Yem Gıda İnşaat San. ve Tic. A.Ş.,
- Tad Piliç Fenni Yem San. ve Tic. Ltd. Şti.,
- Yemsel Tavukçuluk Hayvancılık Yem Hammaddeleri San. ve Tic. A.Ş. Şti.

4. It was decided unanimously that Bakpiliç Entegre Tavukçuluk A.Ş. did not provide the information requested within the scope of the investigation; thus it would be imposed administrative fines amounting to % 0.1 of its 2018 annual gross income according to Article 16(1)(c) of the Act no. 4054,

45. It was decided unanimously that Tad Piliç Fenni Yem San. ve Tic. Ltd. Şti. provided incorrect and misleading information within the scope of the investigation; thus it would be imposed administrative fines amounting to % 0.1 of its 2018 annual gross income according to Article 16(1)(c) of the Act no. 4054.

Judicial review for the decision before Ankara Administrative Courts shall be possible within 60 days as of the notification of the reasoned decision.