

### **Pronouncement Text:**

According to the decision of the Competition Board (the Board) dated 21.10.2021 and no 21-51/712-354, it is decided UNANIMOUSLY that the following commitment text offered by Türkiye Şişe ve Cam Fabrikaları AŞ (ŞİŞECAM) and its subsidiary Şişecam Çevre Sistemleri AŞ (ÇEVRE SİSTEMLERİ) in the preliminary inquiry made within the scope of the Act no 4054 on the Protection of Competition is able to solve the competitive problems, therefore it will be accepted and rendered binding for Türkiye Şişe ve Cam Fabrikaları AŞ and its subsidiary Şişecam Çevre Sistemleri AŞ and the preliminary inquiry in question will be terminated:

1) During five years as of the notification of the short decision of the Board, purchase by ŞİŞECAM, ÇEVRE SİSTEMLERİ and other economic units under the body of ŞİŞECAM group (ŞİŞECAM Economic Unity) of unprocessed flat glass products (waste flat glass) used within the scope of the production of furnace ready cullet (FRC) from any undertaking which is established in Turkey but is outside the said economic unity (third parties operating in Turkey) will be terminated.

2) During two years as of the notification of the short decision of the Board, ŞİŞECAM Economic Unity will not purchase from any undertaking which is established in Turkey but is outside the said economic unity (third parties operating in Turkey), unprocessed glass packaging products (waste glass package) used within the scope of the production of FRC; at the end of the two-year period, import being allowed, the purchase of waste glass package products will be limited to

- i. 10,000 tons for the first year,
- ii. 20,000 tons for the second year,
- iii. 40,000 tons for the third year.

3) As of the notification of the short decision of the Board, ŞİŞECAM Economic Unity will terminate purchasing from undertakings that are established abroad and are outside the said economic unity (third parties operating abroad), of

- i. Waste flat glass products for five years,
- ii. Waste glass package products for two years.

- 4) During five years as of the notification of the short decision of the Board, the share of the amount of FRC purchased from a specific undertaking within the framework of ŞİŞECAM Economic Unity's FRC purchase from third parties will not exceed 35% in the total FRC purchased from third parties by ŞİŞECAM Economic Unity for each fiscal year.
- 5) Any transaction that will render the commitments listed in articles (1), (2), (3) and (4) functionless should be avoided.
- 6) The copies of notifications concerning the annulment of the supply contracts for waste glass made between ŞİŞECAM Economic Unity and third parties sent through a notary will be submitted to the Competition Authority within 30 (thirty) days as of the notification of the short decision of the Board.
- 7) During five years as of the notification of the short decision of the Board, ŞİŞECAM Economic Unity will notify the Board of the transactions to be realized concerning the main elements of recycling activities (facility, machinery and equipment, etc.), such as acquisition, renting, etc. so that the compliance of such transactions with the commitments are evaluated.
- 8) Independent audit reports related to compliance with the commitments will be submitted to the Authority every year regularly, starting one year after the reasoned decision of the Board is notified.