

**Pronouncement of the Final Decision Regarding the Investigation about
Panek Ziraat Aletleri Dayanıklı Tüketim Malzemeleri Otomotiv Yakıt Petrol
Ürünleri Tarım Ticaret AŞ According to Article 49 of the Act no 4054 on
the Protection of Competition**

Within the scope of the investigation conducted pursuant to the Competition Board decision dated 06.10.2022 and no 22-45/656-M, the interim Board decision dated 15.12.2022 and no 22-55/866-MUA was notified to Panek Ziraat Aletleri Dayanıklı Tüketim Malzemeleri Otomotiv Yakıt Petrol Ürünleri Tarım Ticaret AŞ on 16.12.2022 by means of electronic notification. The settlement text sent depending on the interim settlement decision entered the registry of the Authority on 23.12.2022 and with the number 34064 in time.

In this context, in the said 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 stated in the settlement interim decision; it has been decided UNANIMOUSLY that

1. Panek Ziraat Aletleri Dayanıklı Tüketim Malzemeleri Otomotiv Yakıt Petrol Ürünleri Tarım Ticaret AŞ violated article 4 of the Act no 4054 by means of intervening in the resale prices of retailers,
2. Therefore, according to Article 16(3) of the Act no 4054 and Article 5(1)(b), 5(2), 5(3)(b) and article 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 2021, by discretion, the said undertaking shall be imposed 36.406.489,74- 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 2021, by discretion, the undertaking shall be imposed 27.304.867,30-TL administrative fines,
5. Therefore, the investigation conducted per the Competition Board decision dated 06.10.2022 and numbered 22-45/656-M shall be concluded with settlement

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