

Compliance Declaration in Accordance with § 161 German Stock Corporation Act (AktG)

The Management Board and Supervisory Board of a German corporation listed on a stock exchange are required, in accordance with § 161 German Stock Corporation Act [AktG], to declare once annually whether the recommendations of the Government Commission on the German Corporate Governance Code have been observed and will be observed, or which recommendations have not been applied or will not be applied. The following Declaration of Compliance was made accessible on the Company's website on March 26, 2018 along with the last five years' Declarations of Compliance.

"The Management Board and the Supervisory Board of Vita 34 AG hereby declare, in accordance with Section 161 of the German Stock Corporation Act (AktG), that Vita 34 AG has met, since the issuance of the last Declaration of Compliance on March 27, 2017, and will in future continue to meet, the recommendations of the 'Governmental Commission on the German Corporate Governance Code (DCGK)' announced by the Federal Ministry of Justice in the official section of the German Federal Gazette in the version dated February 7, 2017, with the following exceptions:

- Sec. 3.8 DCGK: No specific deductible has been agreed upon with the Supervisory Board, since we are not of the opinion that the diligence and sense of responsibility exercised by the members of the Supervisory Board in performing their duties could be further enhanced by agreeing to a deductible.
- Sec. 4.1.3 DCGK: Vita 34 AG has taken measures, appropriate to the Company's risk situation, to ensure that the provisions of law and the Company's internal policies are complied with. The Company's system of risk management is audited annually as part of the annual audit of the financial statements; no objections have been raised to date. The Management Board and the Supervisory Board believe that the introduction of an additional compliance management system is not necessary in view of the good experience in the past and in view of the Company's size. In addition, it has been decided that a whistle-blower system will not be implemented at present as Management Board and Supervisory Board take the view that there has not been sufficient experience of the use of such a system in Germany to date. Accordingly, the intention at the present time is to wait and observe whether the arguments against the use of a whistle-blower system, in particular that it is expensive, that it can have negative consequences for the working atmosphere, and that it may be misused, are in fact relevant in practice and to see what solutions are established in practice to avoid these issues. The Management Board and the Supervisory Board will continue to observe developments in practice concerning this matter.
- Secs. 5.1.2 and Secs. 5.4.1 DCGK: No age limit for Management and Supervisory Board members has been established. The determining factor for the capability of the members of these bodies is not age; therefore, we do not consider an age limit to be sensible.

- Secs. 5.3.1, 5.3.2 and Secs. 5.3.3. DCGK: The establishment of committees (i. e. a body that is only comprised of part of the members of the Supervisory Board), especially an Audit Committee, and a Nominating Committee does not make sense due to the size of the Vita 34 AG Supervisory Board.
- Sec. 7.1.2 DCGK: The Company observes the legally prescribed deadlines with regard to its publishing obligations in order to avoid additional administrative effort and associated costs as well as to avoid binding management's capacity further."

Leipzig, March 26, 2018

The Supervisory Board

The Management Board