

## Declaration of Conformity pursuant to § 161 AktG

Pursuant to § 161 AktG, the Management Board and Supervisory Board of a listed German stock corporation are obliged to declare once a year whether the recommendations of the Government Commission on the German Corporate Governance Code have been and are being complied with or which recommendations have not been or are not being applied. The following Declaration of Conformity is permanently accessible on the company's website.

"The Management Board and the Supervisory Board of Vita 34 AG declare pursuant to Section 161 of the German Stock Corporation Act (AktG) that the recommendations of the Government Commission on the German Corporate Governance Code (GCGC) in the version of December 16, 2019, in force with publication in the Federal Gazette on March 20, 2020 (GCGC 2020), as well as the Code in the version of April 28, 2022, in force with publication in the Federal Gazette on June 27, 2022 (GCGC 2022), have been complied with since the submission of the last Declaration of Conformity of March 29, 2022 (relates to the GCGC 2020 until June 27, 2022 and to the GCGC 2022 from June 27, 2022) and we will continue to comply with the recommendations of the GCGC 2022 in the future, with the exception of the points listed below:

- Section A.2 GCGC 2020 / section A.4 GCGC 2022: The establishment of a protected whistleblowing system will be waived for the time being, as the implementation of the European Whistleblowing Directive into national law is to be awaited. The Management Board and Supervisory Board will continue to monitor the status of legislation.
- Section A.5 GCGC 2022: Deviating from the newly introduced recommendation A.5 of the GCGC 2022, the description in the Group management report of Vita 34 AG is oriented towards the legal requirements of § 315 (4) HGB and contains information on the essential features of the internal control and risk management system with regard to the Group accounting process. For the fiscal year 2022, reporting in accordance with Section A.5 GCGC is still waived, because this is a new recommendation whose implementation in practice is to be observed for the time being. However, Vita 34 AG intends to consider the recommendation in the future.
- Section B.2 GCGC 2020/2022: Section B.2 of the Code recommends that the Supervisory Board should ensure long-term succession planning together with the Management Board and describe the procedure in the Declaration on Corporate Governance. The Supervisory Board has not yet developed any guidelines for succession planning for the three Management Board members. The Supervisory Board will continuously monitor the need for succession planning with regard to the specific needs of the company and, if necessary, ensure long-term succession planning together with the Management Board.
- Section B.5 and Section C.2 GCGC 2020/2022: No age limit has been set for members of the Management Board and Supervisory Board. The decisive factor for the performance of Board members is not age; we do not consider such an age limit to be appropriate.

- Sections D.5 GCGC 2020 / section D.4 GCGC 2022: The Supervisory Board of Vita 34 AG has not established a nomination committee. The previous good experience with the search for candidates for the Supervisory Board has shown that such a committee is not necessary at Vita 34 AG.
- Section F.2 GCGC: The company continues to base its publication obligations on the legally prescribed deadlines in order to avoid an otherwise higher administrative burden and associated costs, as well as the additional commitment of management capacity. This is also in line with the intention of the legislator, which has extended the deadline for publication of the half-year financial statements from two to three months.”

Leipzig, March 29, 2023

The Supervisory Board

The Management Board