

Declaration of conformity in accordance with Section 161 AktG

In accordance with Section 161 of the German Stock Corporation Act (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 available on the company's website.

"The Management Board and Supervisory Board of Vita 34 AG declare in accordance with Section 161 of the German Stock Corporation Act (AktG) that the recommendations of the Government Commission on the German Corporate Governance Code in the version dated April 28, 2022, which entered into force upon publication in the Federal Gazette on June 27, 2022 (GCGC), have been complied with since the last Declaration of Conformity was issued on March 29, 2023, and that we will continue to comply with the recommendations of the GCGC in the future, with the exception of the points listed below.

- **Section A.4 GCGC:** According to Section A.4 GCGC, employees should be given the opportunity to report legal violations in the company in a protected manner. In the course of 2023, Vita 34 AG developed a whistleblower system that enables employees and third parties to provide protected information on legal violations at Vita 34 AG. This whistleblower system was finalized and implemented in the fourth quarter of 2023.
- **Section A.5 GCGC:** In deviation from recommendation A.5 of the GCGC, the description in the Group management report of Vita 34 AG is based on the legal requirements of Section 315 (4) HGB and contains information on the main features of the internal control and risk management system with regard to the Group accounting process. For the 2023 fiscal year, as for the 2022 fiscal year, reporting in accordance with Section A.5 GCGC is waived because its implementation in practice will continue to be observed. However, Vita 34 AG intends to consider the recommendation in the future.
- **Section B.2 GCGC:** Section B.2 GCGC recommends that the Supervisory Board, together with the Management Board, should ensure long-term succession planning and that the procedure should be described in the corporate governance declaration. The Supervisory Board has not yet developed any guidelines for succession planning for members of the Management Board. The Supervisory Board will continuously monitor the need for succession planning with regard to the specific needs of the company and, if necessary, work with the Management Board to ensure long-term succession planning.
- **Sections B.5 and C.2 GCGC:** No age limit has been set for members of the Management Board and Supervisory Board. Age is not the decisive factor for the performance of board members; we do not consider such an age limit to be appropriate.
- **Sec. D.4 DCGK:** The Supervisory Board of Vita 34 AG has not established a nomination committee. 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 comply with the statutory deadlines for its publication obligations in order to avoid an otherwise higher administrative burden and the 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.
- Section G.7 GCGC: The Supervisory Board has not determined the performance criteria for the variable remuneration components for the 2023 financial year for each individual member of the Management Board. Vita 34 AG is still in a transitional phase due to the merger with the PBKM Group, so that the determination of variable remuneration components for individual Management Board members is still associated with difficulties.
- Section G.12 GCGC: As part of a termination agreement, an arrangement deviating from the recommendation in Section G.12 GCGC was made with a member of the Management Board regarding the payment of outstanding variable remuneration components. The background to this was the facilitation of a negotiation result for the amicable termination of the Executive Board service contract."

Leipzig, April 26, 2024

The Supervisory Board

The Management Board