

## DECLARATION OF CONFORMITY IN ACCORDANCE WITH SEC. 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 Sec. 161 AktG, to declare once annually whether the recommendations of the Government Commission on the German Corporate Governance Code have been complied with and are being complied with, or which recommendations have not been applied or are not being applied. The following Declaration of Conformity was made permanently accessible on the Company's website on March 25, 2019, along with the last five years' Declarations of Conformity.

"The Management Board and the Supervisory Board of Vita 34 AG declare, in accordance with Sec. 161 of the German Stock Corporation Act (AktG), that the recommendations of the Government Commission on the German Corporate Governance Code (DCGK) in the version dated February 7, 2017 have been complied with since the last Declaration of Conformity was issued on March 26, 2018 and will continue to be complied with in the future, with the exception of the points listed below:

- 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 existing risk management system 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 protected whistle-blower system will not be implemented at present as in the view of the Management Board and Supervisory Board there is still insufficient practical experience of this in Germany. Further, it is not intended to preempt any legislative initiatives at the European level. Accordingly, the intention at the present time is to continue to wait and observe whether the arguments against a whistle-blower system, such as high costs in particular, possible negative consequences for the working atmosphere, and susceptibility to abuse, are in fact relevant in practice and which solutions will be established to avoid these issues. The Management Board and the Supervisory Board will continue to observe the developing practice concerning this matter.
- Sec. 5.1.2 and Sec. 5.4.1 DCGK: No age limit has been set for membership of the Management Board and Supervisory Board. The determining factor for the capability of the members of these bodies is not age; we do not consider an age limit to be sensible.

- Secs. 5.3.1, 5.3.2, 5.3.3 and Sec. 5.4.6. DCGK: The establishment of committees (i.e. a body that is only comprised of part of the members of the Supervisory Board), especially the establishment of an Audit Committee and a Nomination Committee, does not make sense due to the size of the Vita 34 AG Supervisory Board. Accordingly, membership of a committee is not a factor in determining the remuneration of the Supervisory Board.
- Sec. 7.1.2 DCGK: The Company complies with the legally prescribed deadlines with regard to its publishing obligations in order to avoid otherwise higher administrative effort and associated costs as well as the additional commitment of management capacity. This is also in accordance with the intention of the legislator, which has extended the deadline for the publication of half-year financial statements from two to three months.”

Leipzig, March 25, 2019

The Supervisory Board

The Management Board