



File No: 2(609)/AGR/EXM/CCP/2020
COMPETITION COMMISSION OF PAKISTAN
GOVERNMENT OF PAKISTAN.

7th Floor, ISE Towers,
55 – B, Jinnah Avenue,
Islamabad.
Tel: 92-051-9100283
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EXEMPTION CERTIFICATE

In pursuance of the powers conferred by Section 5 read with Section 9 of the Competition Act, 2010 (the Act), the Competition Commission of Pakistan (the Commission) hereby grants exemption from the application of Section 4 of the Act, details whereof are given here below:-

DETAILS OF THE AGREEMENT

First Party: M/s. Mondelez Pakistan Limited (the 'Purchaser')
Business address: World Trade Centre Tower B, 6th Floor, Khayaban-e-Roomi, Clifton, Karachi.

Second Party: M/s. Mitchell's Fruit Farms Limited (the 'Supplier')
Business address: 40 – A, Zafar Ali Road, Gulberg 5, Lahore.

Type of agreement: Toll Manufacturing Agreement (TMA)

Date entered into: December 1st 2019

Validity Period: This Agreement shall be effective from December 1st 2019 and unless terminated or renewed under the terms of this agreement, expires on March 1st 2021

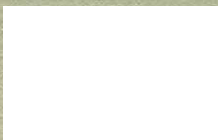
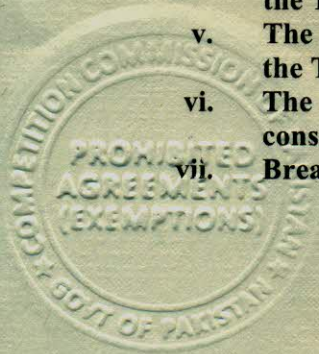
DETAILS OF THE EXEMPTION

Exemption granted to: Non-Compete and Non-Solicitation clause(s) of the Agreement

Granted until: 01-11-2023

Condition(s):

- i. The Exemption certificate, shall in no way be construed as an approval for fixation or maintaining 'Minimum Retail Price' with reference to the products' subject matter of the Toll Manufacturing Agreement;
- ii. This Exemption will only be effective for the products mentioned in Exhibit – A of the Toll Manufacturing Agreement;
- iii. The Applicant shall provide the renewed TMA to the Commission after the completion of the effectiveness of the agreement i.e. March 1st 2021;
- iv. The Applicant shall provide copy any other agreement(s), once executed, apart from the TMA;
- v. The Applicant shall intimate to the Commission in case of any amendment(s) made to the TMA;
- vi. The Commission reserves the right to impose any condition(s) at the time of considering extension, if any; and
- vii. Breach of a condition shall have the effect of cancellation of the exemption.





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Without prejudice to the generality of Section 6 of the Act, the grantee of the exemption shall inform the Commission forthwith and seek clearance for continuation of the exemption if there is any material change, *inter alia*, in: (i) the terms of the agreement; (ii) the market share of the parties to the agreement; or (iii) the circumstances in the market in which the parties are operating.

Granted on this the 7th day of December 2020 at Islamabad.



Syed Umair Javed
Registrar
Competition Commission of Pakistan
Government of Pakistan
Islamabad



Seal of the Commission

Original Issued
Vide No. 30-Original
Dated: 16-12-2020