



## **Türkiye's Poultry Cartel Case Tests the Boundary Between Competition Law and Criminal Law**

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### **Introduction**

On 12 June 2026, the Turkish Ministry of Justice announced that a criminal investigation had been launched against companies and executives active in the Turkish poultry (white meat) sector, on the grounds that their conduct distorted the functioning of the market, caused unjustified price increases, and harmed consumers. Simultaneous operations were carried out in eight provinces, coordinated from Istanbul and extending to Ankara, Balıkesir, Bolu, Bursa, İzmir, Samsun and Uşak, under the direction of the Istanbul Chief Public Prosecutor's Office. According to the announcements, detention, search and seizure measures were applied in respect of 32 suspects identified as company managers and officers<sup>2</sup>.

As part of the same investigation, supervisory trustees (denetim kayyımı) were appointed to thirteen companies: Banvit, Akpiliç, Bakpiliç, Aspiliç, Bupiliç, Erpiliç, Gedik Pazarlama, Hastavuk, Keskinoglu, Şenpiliç, Orvital, Aypi and Lezita. The stated purpose of the trustee appointments is to ensure that the basic food supply chain is not disrupted and that commercial

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<sup>2</sup> Per the Minister of Justice's statement of 12 June 2026 (reported by news agencies), measures were applied in respect of 32 suspects. Reports relating the Istanbul Chief Public Prosecutor's Office's account indicate that 28 of the 32 were taken into custody in the simultaneous operations, with the remaining 4 still being sought as of publication. See e.g. <https://t24.com.tr/gundem/bakan-gurlek-duyurdu-8-ilde-beyaz-et-operasyonu-13-sirkete-kayyim-atandi.1328308>; <https://www.cumhuriyet.com.tr/turkiye/bakan-gurlek-duyurdu-beyaz-et-sektorunde-13-sirkete-kayyim-atandi-2511481>; <https://www.sozcu.com.tr/beyaz-et-devlerine-operasyon-13-sirkete-kayyum-atandi-p327279>.

activities continue in a lawful, transparent and auditable manner while the investigation proceeds.

### **The legal basis: Articles 237 and 220 of the Turkish Criminal Code**

The investigation, conducted by the Organized Crimes Investigation Bureau<sup>3</sup> of the Istanbul Chief Public Prosecutor's Office, is reported to rest on three legal grounds<sup>4</sup>: (i) the offense of influencing prices under Article 237 of the Turkish Criminal Code (“*TCK*”), (ii) the offense of establishing, managing or being a member of an organization formed for the purpose of committing crime under Article 220 of the TCK, and (iii) offenses of refraining from sale (hoarding) under the relevant legislation.

Article 237 of the TCK criminalizes the dissemination of false news or information, or resort to other deceptive means, with the aim and in a manner capable of causing an increase or decrease in workers’ wages or in the value of foodstuffs or goods. The base sanction is imprisonment from one to three years together with a judicial fine, with the penalty increased by half where prices or wages are in fact affected. Two features of the provision deserve emphasis. First, the protected subject matter (wages, foodstuffs and goods) is defined very broadly. Second, the offense is not limited to the spreading of false information: the seemingly catch-all element of “*resorting to other deceptive means*” gives the provision a potentially wide field of application to commercial conduct affecting price formation.

The invocation of Article 220 alongside Article 237 is equally significant. Framing coordinated commercial conduct between competitors as the activity of a criminal organization places the investigation within the institutional machinery reserved for organized crime, with the procedural consequences that this entails.

### **The competition law backdrop**

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<sup>3</sup> As reported by news agencies. See <https://www.cnnturk.com/turkiye/beyaz-ette-fahis-fiyat-operasyonu-32-gozalti-13-sirkete-kayyim-atandi-3429876>; <https://www.haberler.com/3-sayfa/beyaz-et-sektorunde-fiyat-manipulasyonu-28-gozalti-13-sirkete-kayyim-19939814-haberi/>

<sup>4</sup> As reported by news agencies. See <https://t24.com.tr/gundem/bakan-gurlek-duyurdu-8-ilde-beyaz-et-operasyonu-13-sirkete-kayyim-atandi.1328308>; <https://hukukihaber.net/beyaz-et-sektorune-sorusturma-13-sirkete-denetim-kayyimi-atandi>

What makes this development particularly noteworthy is its timing. The Turkish Competition Board recently concluded a long-running investigation into the white meat sector. With its decision numbered 25-35/837-492 and dated 18.09.2025 (announced on 27.09.2025), the Board found that undertakings active in the sector had infringed Article 4 of Law No. 4054 on the Protection of Competition through the exchange of competitively sensitive information, and imposed administrative fines on thirteen undertakings totalling approximately 3.7 billion TL (approx. EUR 77 million<sup>5</sup>) with several parties settling during the proceedings and one party cleared<sup>6</sup>.

Beyond the fines, the Board took the notable step of imposing vigorous behavioural remedies on the sector under Article 9(1) of Law No. 4054. Producers and suppliers in the white meat market were required to put updated sales prices (price lists) into effect from the moment they are announced to buyers, including resellers, and to terminate the practice of forward-dated price lists.

The criminal investigation thus follows, within months, a fully concluded competition enforcement action against largely the same group of companies, concerning essentially the same underlying market conduct. Indeed, the Minister of Justice expressly thanked the Competition Authority, alongside the Directorate General for Market Surveillance and Inspection and MASAK (the Financial Crimes Investigation Board), for their contributions to the criminal investigation.

### **Why this matters: a critical signal, even if not yet a confirmed shift**

Until now, the settled understanding, and the consistent practice, in Türkiye has been that competition law infringements are addressed through administrative sanctions imposed on undertakings, and do not give rise to criminal law consequences for the individuals involved except the collusion in public tenders. Türkiye, unlike a number of jurisdictions, does not have a dedicated criminal cartel offense, and Article 237 of the TCK has not historically functioned as a vehicle for prosecuting anticompetitive coordination.

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<sup>5</sup> According to the average monthly buying rate of the Central Bank of the Republic of Türkiye in September 2025 (1 EUR = 48.6 TL).

<sup>6</sup> Poultry (25-35/837-492; 18.09.2025). Announcement available at: <https://www.rekabet.gov.tr/tr/Guncel/beyaz-et-sektorunde-faaliyet-gosteren-te-41774c187a9bf01193e40050568549fa>; Reasoned decision available at: <https://www.rekabet.gov.tr/Karar?kararId=d4c36fa7-ef4c-4f6f-8754-ce9e121899ab>.

Whether this investigation marks a genuine change of position is something that will only become clear as the proceedings unfold. It should be noted that a prosecutorial investigation is not a conviction, the suspects benefit from the presumption of innocence, and it remains to be seen how the courts will interpret the elements of Articles 237 and 220 in the context of conduct already examined and sanctioned under competition law. It is also too early to say whether this reflects a generalizable enforcement approach or a response to the specific circumstances of a sensitive food sector.

However, the sequence, a landmark competition decision with fines and behavioural remedies, followed by a criminal investigation against the executives of the same companies, run by an organized crimes bureau with trustee appointments and dawn raids across eight provinces may suggest that the assumption that competition law exposure in Türkiye ends with the undertaking's administrative fine may need to be revisited in the future.

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