

CURRENT REPORT

KOFOLA S.A.

19 th February 2010

Current report no 3/2010

The Subject: **The amendment of the Articles of Association of the Company**

Legal basis: Art. 56 paragraph 1 point 2 of the Act on Public Offering- current and periodic informations

The Management Board of KOFOLA S.A. with the registered office in Warsaw („the Company”), acting under § 38 paragraph 1 point 2 of the Regulation of the Minister of Finance dated 19 th February 2009 on current and periodic informations provided by issuers of securities (Journal of Laws 2009, No. 33, item 259), hereby informs that on February 18th 2010 the Company received an information that on February 10th 2010 the District Court for the City -Warsaw, XII Commercial Department of the National Court Register has registered amendments to the Articles of association of the Company.

The amendments to the Articles of association of KOFOLA S.A., were made as follows:

1. In § 6 of the Articles of association of the Company the following point 4 is added:

“4. The conditional share capital of the Company amounts not more than 1.090.526 PLN (say: one million ninety thousand five hundred and twenty six zlotys) and is divided into not more than 1.090.526 (say: one million ninety thousand five hundred and twenty six) ordinary bearer shares of H series at nominal value of 1, - PLN (say: one zloty) each share. The holders of the Subscription Warrants A, B, C and D series shall be entitled to subscribe for shares of H series issued by the Company. The right to subscribe for shares H series may be performed not earlier than after 12 months and no later than 3 years since the date of allocation of Warrants, but no later than until December 31st 2016.”.

2. To § 18 paragraph 8 of the Articles of association of the Company the following point z) is added as follows:

"z) adopting resolutions in connection with the adoption, change, implementation or termination of the Motivating Program for the members of the authorities and management of the Company, adopted by the General Meeting in 2009, including identifying the persons entitled to participate in the Motivating Program".