ANIMAL LAW REFORM
SOUTH AFRICA

25 January 2023

To: Information Officer, Spur Group (Pty) Ltd ("Spur")
[redacted]

Via Email: [redacted]
(collectively or individually "**you**" or "**your**")

Dear [redacted]

RE: CORPORATE ACCOUNTABILITY PROJECT - REQUEST FOR ACCESS TO INFORMATION

Introduction

1. We write to you as Animal Law Reform South Africa ("**ALRSA**"), a non-profit company and registered NPO. ALRSA's vision is for a society whose laws, courts and enforcement agencies advance the protection and well-being of humans, non-human animals, and the environment.

2. ALRSA is undertaking a project entitled "Laying Down the Facts: Corporate Accountability" (the "**Project**"). To advance the Project we hereby request records from **Spur** in terms of the Promotion of Access to Information Act 2 of 2000 ("**PAIA**") as set out in paragraph 6 below. The request extends to you and any and all franchisees currently in operation within South Africa, as applicable.

3. The Project has two primary interlinked goals: firstly, the fostering of interest in and understanding of the regulatory and policy regime governing chicken welfare in South Africa, and secondly, promoting more transparent practices, enhanced animal welfare, and more ambitious cage-free commitments by South African retailers, restaurants, and major brands. One of the Project's outputs will be **a public report** setting out, among other things, the **chicken welfare practices of key role players in the poultry sector**, including major South African retailers, restaurants, and brands; and **ranking the performance and commitments of selected companies**.

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4. **Spur** has been selected for ranking in our public reports. Various factors will inform the ranking of **Spur,** including your response to this letter and the accompanying Form 2 requesting access to information in terms of section 53(1) of PAIA.

5. The information requested below is required for the protection of the environmental right enshrined in section 24 of the Constitution of the Republic of South Africa, 1996 ("**the Constitution**"). This constitutional right to have the environment protected includes the protection of animal welfare, giving rise to a duty on companies, including those in the poultry sector, not to harm animal welfare without reasonable justification.

Request for access to information

6. Please see attached our PAIA Form C to request for records. We have completed Form C in order to request access to records relating to **Spur's role in the egg supply chain** for **the period of 1 November 2018 to November 2022** (the "**period**"), including, but not limited to:
   - 6.1. **Annual and Sustainability Reports** produced during the period.
   - 6.2. **Legal Compliance: Any and all enforcement and compliance records** issued during the period, including:
     - 6.2.1. Reports, licenses, permits, warnings, citations, notices, directives, and similar enforcement and compliance records, both internal and external) specifically in relation to compliance and/or non-compliance with animal, environmental, and agricultural legislation (including any amendments, rules, lists, notices, regulations, etc. in terms thereof). This legislation includes, but is not limited to:
       - 6.2.1.1. Regulations Regarding the Grading, Packing and Marking of Eggs Intended for Sale in the Republic of South Africa of 31 May 2019, Notice 289 of 2019;
       - 6.2.1.2. The Animals Protection Act 71 of 1962 ("**APA**"), including any warnings/citations, and/or infringements issued in respect of any employees, contractors or personnel in performing their duties;
       - 6.2.1.3. The Meat Safety Act 40 of 2000;
       - 6.2.1.4. The Animal Identification Act 6 of 2002;
       - 6.2.1.5. The Veterinary and Para-Veterinary Professions Act 19 of 1982;
       - 6.2.1.6. The Animal Diseases Act No.35 of 1984;

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6.2.1.7. The National Environmental Management Act 107 of 1998 ("**NEMA**");

6.2.1.8. The National Environmental Management: Waste Act 59 of 2008 ("**NEMWA**");

6.2.1.9. The National Environmental Management: Air Quality Act 39 of 2004 ("**NEMAQA**");

6.2.1.10. The National Water Act 36 of 1998,

(the "**legislation**").

6.2.2. Any information recording or containing details of inspections by the South African Police Service ("**SAPS**"), National Council of Societies on the Prevention of Cruelty to Animals ("**NSPCA**") and any Societies for the Prevention of Cruelty to Animals ("**SPCA**"), and any other relevant authority of animal welfare.

6.3. **Charges laid, and judgments and orders handed down**, including in any and all criminal and civil proceedings in which you were cited as a party relating to the aforementioned legislation.

6.4. **Internal Policies relating to Animal Welfare and Environmental matters** applied or produced during the period.

6.5. **Egg production and Supply Chain details:**

6.5.1. Records relating to the number of chickens housed/processed per annum of each of your suppliers;

6.5.2. Records relating to the number of eggs produced per annum of each of your suppliers;

6.5.3. Records relating to nutrition of chickens of each of your suppliers;

6.5.4. Records relating to the use of cages and type of cages used by each of your suppliers;

6.5.5. Records relating to the stocking density of each of your suppliers;

6.5.6. Records relating to the number of chickens and chicks culled in the production process by each of your suppliers.

6.6. **Asset Register and Stock:** Any and all records relating to your assets and stocks that may be relevant based on the aforementioned explanation of the Project.

6.7. **Membership** records relating to any and all membership (present and past) relating to the egg, chicken and poultry industry. This includes correspondence or documentation confirming, refusing, suspending, terminating, or otherwise relating to any membership of any of the following (as applicable):

6.7.1. The South African Poultry Association ("**SAPA**");

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6.7.2. SAPA Egg Association;
6.7.3. SAPA Broiler Association;
6.7.4. Livestock Welfare Co-ordinating Committee ("**LWCC**");
6.7.5. South African Bureau of Standards ("**SABS**");
6.7.6. Sustainable Retailer Forum;
6.7.7. Animal Feed Manufacturer Association;
6.7.8. Any other poultry, egg or chicken organisations or associations that may be relevant based on the aforementioned description of the Project,
(the "**Associations**", as applicable).

6.8. **Compliance with Association standards and requirements and Certification**: Any and all records of compliance and/or non-compliance with third party standards and/or requirements, correspondence as applicable and certifications with/by the Associations and other third party standards and/or requirements that may be relevant based on the aforementioned explanation of the Project.

6.9. **Third Party Certification:** Certificates/notices, letters and correspondence illustrating any third-party certifications. This would include:
6.9.1. Certificates/notices issued illustrating certification by A Greener World ("**AGW**"); and
6.9.2. Other third-party certifications that may be relevant based on the aforementioned explanation of the Project.

6.10. **Commitments**: Records indicating any and all animal welfare-related commitments and progress towards these commitments This would include:
6.10.1. Better Chicken Commitments ("**BCC**");
6.10.2. Cage-Free Commitments;
6.10.3. Other commitments that may be relevant based on the aforementioned explanation of the Project.

6.11. **Public Statements:** Any and all public statements relating to animal welfare regarding eggs, sourcing thereof or chickens under your control.

7. In terms of PAIA, we look forward to receiving your response to our attached request for records within 30 days of the date hereof (i.e., by no later than **25 February 2023**). Should we be deemed not to be exempt from paying the fees prescribed by PAIA for the requested records, we hereby tender payment of such fees. We further specifically request that the information requested be provided electronically (via email or on a USB, and if the latter, we will gladly provide a USB on request).

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8. We would also welcome any further resources or information you think would be helpful with the Project. In addition, we would be very grateful if you could provide us with contact information (email and contact number) of any personnel who may be willing to provide further information or answer any queries as we advance the Project.

9. In accordance with the provisions of the Protection of Personal Information Act 4 of 2013 ("**POPIA**"), we understand that personal information protected by POPIA may be redacted from the records requested in paragraph 6 above.

10. Should you have any questions regarding this request, or the Project and research related thereto, please do not hesitate to contact us. Please address written correspondence via email: outreach@animallawreform.org and CC: contact@animallawreform.org.

11. We look forward to engaging with you further in connection with this letter and the attached Form C.

Yours sincerely,