

# PART A: Request for Access to Information - Animal Welfare

This form constitutes an updated request for records in relation to your company's reporting (annual and sustainability), compliance, policies, practices, suppliers (if applicable), assets and stock registers, certifications, industry association memberships, commitments, and public statements with reference to your company's role in the egg supply chain as set out in our correspondence accompanying this Google form.

The period for which the information is required is **1 December 2022 to 30 November 2023 ("the period")**. To the extent that you wish to supplement records previously requested for the period November 2018 to November 2022, please do so.

Please note:

- This is a standard form that is being distributed to selected role-players in the egg supply chain ranging from egg producers and hatcheries, equipment manufacturers/ distributors, fast food outlets and restaurants, hotels, major retailers and wholesalers.
- The entirety of the request may not be applicable to your company and/or each of its suppliers, but to the extent that it is applicable, we kindly request that you provide us with the necessary records.
- This form should be read with the completed Form 2 of Annexure A of the Regulations Relating to the Promotion of Access to Information, 2021 delivered to you with this link.

**Should any documents not be able to be uploaded, kindly send same to [outreach@animallawreform.org](mailto:outreach@animallawreform.org)**

## Annual and/or Sustainability Reporting


We request annual and sustainability reports because they comprise a company's public reporting on its performance in respect of various legal obligations, inclusive of environmental protection obligations as prescribed in the environmental right.

**Response to request for Annual and/or Sustainability Reports produced during the period \***

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA (which must provide details of records that are not available)
- ☒ Other:  
Kindly note that no such records exist as it is not a requirement for a private company to publish an annual and/or sustainability report, for the public's attention.

**Annual and/or Sustainability Reports and/or affidavit and/or justification for ground of refusal (as applicable)**
 Add File
**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**

Kindly note that no such records exist as it is not a requirement for a private company to publish an annual and/or sustainability report, for the public's attention.

**Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA**
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**Legal Compliance**

As a role player in the egg supply chain, your company has obligations in terms of legislation concerned with environmental protection and animal welfare. Compliance advances the fulfillment of the environmental right. Non-compliance undermines the environmental right. As such, we request records confirming any or all enforcement action taken against the company and/or its suppliers (if applicable) and/or confirming compliance by the company and/or its suppliers with respect to applicable environmental, human health, and/or animal protection legislation, including:


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:
  - 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;
  - 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;
  - 1.3. The Meat Safety Act 40 of 2000;
  - 1.4. The Animal Identification Act 6 of 2002;
  - 1.5. The Animal Improvement Act 62 of 1998;
  - 1.6. The Veterinary and Para-Veterinary Professions Act 19 of 1982;
  - 1.7. The Animal Diseases Act No.35 of 1984;
  - 1.8. The National Environmental Management Act 107 of 1998 ("NEMA");
  - 1.9. The National Environmental Management: Waste Act 59 of 2008 ("NEMWA");
  - 1.10. The National Environmental Management: Air Quality Act 39 of 2004 ("NEMAQA");
  - 1.11. The National Water Act 36 of 1998 (the "legislation").
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.

**Response to request for records confirming legal compliance with relevant legislation during the period**

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA
- ☒ Other:  
Not applicable. Burger King SA has not received an enforcement order or related compliance requests for the abovementioned legislation. The suppliers and other parties will have to be liaised with directly to comment on any possible enforcement or compliance orders (if any).

**Records of Legal Compliance and/or affidavit and/or justification for ground of refusal (as applicable)** Add File**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**

Not applicable.

**Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA** \_BKSA Data\_REQ... Add File**Charges, Judgments and Orders**

Non-compliance with environmental legislation and enforcement measures by your company is recorded in charges, judgments and orders. These records of "adverse findings" against your company are indicative of the non-fulfilment of its obligations in terms of the environmental right. As such, we request any and all records of charges, judgments and/or orders that have been handed down, including in criminal and civil proceedings in which your company was cited as a party relating to the legislation listed in above by any relevant authority.

### Response to request for Charges, Judgments and/or Charges produced during the period

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA

☒ Other:

Not applicable. Burger King SA has no records of charges, judgments and/or orders being handed down for non-compliance with the abovementioned legislation. In addition, Burger King SA, as a sub-franchisee of Restaurant Brands International ("Master Franchisor), has no access to the records of the Master Franchisor to determine whether any of the requests are applicable (if any).


### Records of Charges, Judgments and Orders and/or affidavit and/or justification for ground of refusal (as applicable)

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### To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)

Not applicable.

## Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA

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### Internal Policies

If it is engaged in best practice, a company's internal policies contain measures towards animal welfare, specifically related to layer hens and chicks as well as broader environmental and sustainability measures, as required by the environmental right. A company's compliance with environmental and sustainability measures can also be measured against its internal policies.

### Response to request for internal policies relating to animal welfare and environmental matters applied or produced during the period

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA
- ☒ Other:  
Not applicable. Burger King SA's Sustainability Policy is undergoing internal review, and it cannot be shared with external parties at this stage.


### Records of Internal Policies and/or affidavit and/or justification for ground of refusal (as applicable)

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**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**

Not applicable.

**Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA**

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## Egg Production and Supply Chain

Best practice entails a commitment to responsible sourcing and/or sustainable sourcing and/or cage-free production or supply (as applicable). Such sourcing and/or production or supply aids in the promotion, fulfillment and protection of the environmental right. We accordingly request access to records evidencing treatment of chickens impacted as a result of your company's role in the egg supply chain. These records include:

1. Records relating to the number of chickens housed/processed per annum by your company and/or each of your suppliers;
2. Records relating to the number of eggs produced per annum by your company and/or each of your suppliers;
3. Records relating to nutrition of chickens laying eggs produced by your company or its suppliers;
4. Records relating to the use of cages and type of cages used by your company or its suppliers;
5. Records relating to the stocking density of chickens laying eggs produced by your company or its suppliers;
6. Records relating to the number of chickens and chicks culled in the production process of your company or its suppliers.

**Response to request for records relating to egg production and supply chain \***

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by section 55 of PAIA
- ☐ Relevant third party/ies have/has been approached in terms of section 71 of PAIA
- ☒ Other:  
Not applicable. Burger King SA's operations and policies do not extend to any of the abovementioned records.  
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**Records of Egg Production and Supply Chain and/or affidavit and/or justification for ground of refusal (as applicable)** Add File**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**Not applicable.  
.....**Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA** \_BKSA Data\_REQ... Add File**Asset Register and Stock**



Your company's records related to its asset register and stock, specifically in respect of its egg supply or production, are requested to assess the number of eggs sold or produced by your company and suppliers of eggs. Such information reveals the nature and extent of your impact on the environment (which includes layer hens, chicks, and eggs).

### Response to request for records relating to your company's assets register and stocks relating to egg supply or production

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA
- ☐ Relevant third party/ies have/has been approached in terms of section 71 of PAIA
- ☒ Other: Not applicable.


### Records of Asset Register and Stock and/or affidavit and/or justification for ground of refusal (as applicable)

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### To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)

Not applicable.

## Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA

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### Animal Welfare Membership Records

We request records evidencing membership (present and past) in relevant industry associations relating to the egg, chicken, and poultry industry. Such associations have the stated goals of offering guidance, training, and leadership to role-players in the egg supply chain (including in relation to animal welfare). They are further required to protect, promote, and fulfill the environmental right and to ensure that their members do so. Please also provide correspondence or documentation confirming, refusing, suspending, terminating, or otherwise relating to any membership of any of the following (as applicable):


1. The South African Poultry Association ("SAPA");
2. SAPA Egg Association;
3. SAPA Broiler Association;
4. Livestock Welfare Co-ordinating Committee ("LWCC");
5. South African Bureau of Standards ("SABS");
6. Animal Feed Manufacturers Association;
7. Any other poultry, egg or chicken organisations or associations that may be relevant to your company's obligation in terms of the environmental right.

### Response to request for records relating to membership to industry association

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA
- ☒ Other: Not applicable.

**Membership Records and/or affidavit and/or justification for ground of refusal (as applicable)** Add File**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**

Not applicable.

**Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA** \_BKSA Data\_REQ... Add File**Compliance with Association Standards and Requirements and Certification**

Records evidencing (non)compliance with standards, requirements, codes of practice, certification schemes, etc. of relevant industry associations, which in turn demonstrate your company's (non)compliance with the environmental right.

**Response to request for records relating to compliance with association standards and requirements and certification during the period**

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA
- ☒ Other: Not applicable.

**Records of Compliance with Association Standards and Requirements and Certification and/or affidavit and/or justification for ground of refusal (as applicable)**

 Add File

**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**

Not applicable.

**Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA**

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**Third Party Certifications**

Records illustrating SABS/AGW Certification or other certification are relevant for the protection, fulfillment and protection of the environmental right. AGW certifies role-players in the egg and other animal and agricultural industries in respect of their sustainability practices. This includes an "animal welfare approved" food label awarded to companies that comply with the requirements or certification

of AGW. SABS certification and accreditation entails certifying that a product has passed performance and quality assurance tests stipulated in a standard or regulation or that it complies to a national and international standard or regulation governing quality and minimum performance requirements. The SABS Product Certification Scheme aims to provide third party guarantees of the quality, safety and reliability of products provided by Selected Stakeholders to the consumer.

As such, we request records (certificates/notices, letters and correspondence) illustrating any third-party certifications. This includes:

1. Certificates/notices issued illustrating certification by A Greener World ("AGW");
2. Certificates/notices issued illustrating certification by SABS; and
3. Other third-party certifications that may be relevant to the protection, fulfilment and promotion of the environmental right.

### Response to request for records relating to third party certification during the period

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA
- ☒ Other: Not applicable.

### Records of Third Party Certification and/or affidavit and/or justification for ground of refusal (as applicable)

 Add File

### To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)

Not applicable.

## Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA

 Add File

### Animal Welfare Commitments

If your company has signed on to an animal welfare commitment and made progress towards meeting such commitment, we request access to any and all records evidencing that your company has done so. These commitments represent measures to, amongst others, promote animal welfare and secure ecologically sustainable development as required by the environmental right. This includes:

1. Better Chicken Commitments ("BCC");
2. Cage-Free Commitments;
3. Other commitments that may be relevant for the promotion, fulfillment and protection of the environmental right.

### Response to request for records relating to animal welfare commitments during the period

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA
- ☒ Other:  
This section is not applicable to Burger King SA as a sub-franchisee. The Master Franchisor's policies regulate such matters at a high-level.


### Records of Commitments and/or affidavit and/or justification for ground of refusal (as applicable)

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**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**

Not applicable.

**Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA**

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**Public Statements**

We request records evidencing public statements made by your company in respect of animal welfare and the environment generally. This includes any and all public statements relating to animal welfare regarding eggs, sourcing thereof and chickens under your control. These records relate to not only whether your company adheres to its obligation to the environmental right, but further are indicative of your company's engagement with the public in its efforts towards this obligation.

**Response to request for records relating to its public statements in respect of animal welfare and the environment.**

- ☐ Access to records granted and all records provided
- ☐ Access to records partially granted and some records provided
- ☐ Record(s) exist(s), but access refused on one or more grounds listed in sections 63 - 69 of PAIA with justification provided
- ☐ Record(s) does/do not exist and/or could not be located having taken all reasonable steps to locate the record(s), affidavit provided as required by s 55 of PAIA
- ☒ Other: Not applicable.

**Records of Public Statements and/or affidavit and/or justification for ground of refusal (as applicable)** Add File**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**Not applicable.  
.....**Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA** Add File

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