

PART B: Request for Access to Information: Environmental Protection

This form constitutes a request for records in relation to various agricultural, environmental, and consumer protection obligations; Environmental, Social and Corporate Governance ("ESG") policies; mitigation measures; sourcing practices; responses to the avian influenza; membership or association with environmental bodies; etc. 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")**.

Please note:

- This is a standard form 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 Form 2 of Annexure A of the Regulations Relating to the Promotion of Access to Information, 2021 delivered to you with this form.

Should any documents not be able to be uploaded, kindly send same to outreach@animallawreform.org.

Email *

legal@whopper.co.za

Legal compliance

As a role player in the egg supply chain, your company and/or its suppliers has/ have obligations in respect of various legislation related to the environment and agricultural practices. Compliance with applicable legislation is a reasonable legislative measure in the fulfilment of the environmental right. This request is intended to provide insight into your company's understanding of your legal obligations in terms of this relevant legislation. We request reports, licenses, permits, warnings, citations, notices, directives, and similar enforcement and compliance records (such as environmental management plans, both internal and external) specifically in relation to compliance and/or non-compliance

with **agricultural, consumer protection and environmental legislation** (including any amendments, rules, lists, notices, regulations, etc. in terms thereof). This legislation includes, but is not limited to:



1. The Agricultural Product Standards Act 119 of 1990;
2. The Marketing of Agricultural Products Act 47 of 1996;
3. The Conservation of Agricultural Resources Act 43 of 1983;
4. The Fertilizers Farm Feeds Agricultural Remedies and Stock Remedies Act No. 36 of 1947;
5. The Standards Act 24 of 1945;
6. The Consumer Protection Act 68 of 2008;
7. The Competition Act 89 of 1998;
8. The Merchandise Marks Act 17 of 1941;
9. The Stock Exchange Control Act (Act No. 1 of 1985) and the JSE Listings Requirements;
10. The Hazardous Substances Act 15 of 1973;
11. The Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972;
12. The Health Act 63 of 1977;
13. The Spatial Planning and Land Use Management Act 16 of 2013;
14. The Carbon Tax Act 15 of 2019; and
15. The National Environmental Management – Biodiversity Act 10 of 2004.

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

- ☐ Access to records granted and all available 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:

To the extent applicable, Burger King SA restaurants have valid Certificates of Acceptability and Business Licences to trade from the leased premises in line with the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (as amended). Burger King SA confirms it complies fully with all applicable legislation governing its operations within South Africa. Example of the certificates are attached for reference purposes.

Records relating to your company's legal compliance and/or affidavit and/or justification for ground of refusal (as applicable) Business Licenc... Add File**Records relating to each of your company's suppliers' legal compliance and/or affidavit and/or justification for ground of refusal (as applicable)** RE_ _External_ _... 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**Auditing and inspection notices in terms of the National Environmental Management Act 107 of 1998 ("NEMA") and the Specific Environmental Management Acts ("SEMA")**

Auditing and inspection notices, as provided for in section 31 of NEMA and relevant SEMAs, are essential tools for regulatory authorities in South Africa. They help ensure environmental compliance, protect the environment, and promote sustainable development. These mechanisms play a pivotal role in upholding environmental laws and standards.

Response to request for records relating to your company and/or each of your suppliers' environmental audits and inspections *

- ☐ Access to records granted and all available 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 to Burger King SA.

Records relating to your company's environmental audits and inspections and/or affidavit and/or justification for ground of refusal (as applicable) Add File**Records relating to each of your company's suppliers' environmental audits and inspections 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

NEMA listed activities

NEMA lists various activities (known as “**listed activities**”) that may not commence unless the competent authority has granted an environmental authorisation for such listed activity or, where applicable, the activity is carried out in terms of applicable norms and standards as published by the DFFE. Failure to do so is an offence. There are several activities specifically applicable to poultry farming and for which an environmental authorisation must be obtained prior to commencing such activity. These include Activities 3, 4, 5, 8, 38, 40 and 43 under Listing Notice 1, which are set out further below.


We request records of environmental authorisations (whether granted or refused) in respect of relevant listed activities, as applicable, including:

1. **Activity 3:** the “development and related operation of facilities or infrastructure for the slaughter of animals with a product throughput of poultry exceeding 50 poultry per day...”;
2. **Activity 4:** the “development and related operation of facilities or infrastructure for the concentration of animals for the purpose of commercial production in densities that exceed... 8 square meters per small stock unit”;
3. **Activity 5:** the “development and related operation of facilities or infrastructure for the concentration of: o more than 1000 poultry per facility situated within an urban area, excluding Chicks younger than 20 days; o more than 5000 poultry per facility situated outside an urban area, excluding Chicks younger than 20 days; o more than 5000 Chicks younger than 20 days per facility situated within an urban area; or o more than 25000 Chicks younger than 20 days per facility situated outside an urban area”;
4. **Activity 8:** the “development and related operation of hatcheries or agri-industrial facilities outside industrial complexes where the development footprint covers an area of 2 000 square metres or more”;
5. **Activity 38:** the “expansion and related operation of facilities for the slaughter of animals where the daily product throughput will be increased by more than 50 poultry...”;
6. **Activity 40:** the “expansion and related operation of facilities for the concentration of poultry, excluding Chicks younger than 20 days, where the capacity of the facility will be increased by 40. (i) more than 1 000 poultry where the facility is situated within an urban area; or (ii) more than 5 000 poultry per facility situated outside an urban area”; and
7. **Activity 43:** the “expansion and related operation of hatcheries or agri-industrial facilities outside industrial complexes, where the development footprint of the hatcheries or agri-industrial facilities will be increased by 2 000 square metres or more”.

Response to request for your company and/or each of your suppliers' records related to the specific listed activities mentioned above during the period *

- ☐ Access to records granted and all available 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 to Burger King SA. Such matters are regulated by our Master Franchisor.

Records related to the specific listed activities mentioned above during the period and/or affidavit and/or justification for ground of refusal (as applicable) *

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Records related to the specific listed activities mentioned above during the period for each of your company's suppliers and/or affidavit and/or justification for ground of refusal (as applicable)


 RE_ _External_

 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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Unlawful commencement of a listed activity

Section 24F of NEMA prohibits the commencement or continuation of listed activities without the necessary authorisation to do so. Section 24G of NEMA allows for the rectification of unlawful commencement or continuation of a listed activity conducted in the absence of the requisite environmental authorisation. It is important for consumers to know whether corporations in the egg supply chain have contravened NEMA because said corporations conducting unlawful activity violates the constitutional right to a healthy environment. Such knowledge empowers consumers to make informed choices, advocate for environmental protection, and hold corporations accountable for their impact on the environment and public health. We request records related to section 24F, 24G, 49A and 49B of NEMA.

Response to request for your company's records relating to the unlawful commencement of ^{*} a listed activity during the period

- ☐ Access to records granted and all available 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 to Burger King SA. Such matters are regulated by our Master Franchisor.

Records for your company relating to the unlawful commencement of a listed activity during the period

 Add File


Records for each of your company's suppliers' unlawful commencement of a listed activity during the period

 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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Duty of care: mitigation measures

Section 28 of NEMA imposes a general duty of care on every person who causes, has caused or may cause significant pollution or degradation of the environment to take “reasonable measures” to prevent significant pollution or environmental degradation, or to minimise and rectify such pollution or environmental degradation where such harm cannot be reasonably avoided or is authorised by law. We request records demonstrating the reasonable measures in place required by section 28 of NEMA, which are necessary to protect the environmental right. This includes records relating to training and education in your company and/or each of your suppliers, measures to investigate, assess, and evaluate the impact of significant pollution on the environment, etc.

Response to request for records relating to your company and/or its suppliers' mitigation measures which are specifically aimed at reducing the environmental impact of egg production and which cause harm to chickens *

- ☐ Access to records granted and all available 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 to Burger King SA. Such matters are regulated by our Master Franchisor.

Records relating to your company's mitigation measures aimed at reducing harm to the environment and chickens

 Add File


Records relating to each of your company's suppliers' mitigation measures aimed at reducing harm to the environment and chickens

 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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Sourcing of feed for layer hens in the egg industry



The poultry industry in South Africa is the highest consumer of animal feed of all agricultural industries. The sourcing of feed for layer hens in the South African egg industry can lead to environmental harms, including deforestation, water pollution, pesticide use, and greenhouse gas emissions, highlighting the need for sustainable feed production practices to mitigate these impacts.

We request the following:

1. Records relating to where your company and/or each of your suppliers source feed for layer hens from;
2. Records relating to what your company and/or each of your suppliers feed layer hens;
3. Records relating to the research/ resources relied upon by your company and/or each of your suppliers when sourcing feed.

Response to request for records relating to your company and/or its suppliers' sourcing of feed for layer hens *

- ☐ Access to records granted and all available 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 to Burger King SA. Such matters are regulated by our Master Franchisor.

Records relating to your company's sourcing of feed for layer hens Add File**Records relating to each of your company's suppliers' sourcing of feed for layer hens** RE_ _External_ _... 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**Consumer Protection**

Consumer protection in the South African egg industry is essential to protect consumers' rights to accurately labeled products, as well as to protect their rights related to the production and consumption of eggs and products containing eggs. By promoting transparency and accountability, these measures contribute to a healthier, more informed, and responsible egg industry.

We request the following:

1. Records which show if your company and/or each of your suppliers has been reported to advertising standards agencies / regulatory bodies / tribunals such as the Advertising Regulatory Board of South Africa ("ARB"), the Advertising Standards Authority ("ASA"), the Consumer Protection Commission (part of the National Consumer Commission ("NCC")), the Competition Commission of South Africa ("CCSA"), Consumer Goods Council South Africa ("CGCSA") etc. for complaints about the marketing, advertising, labelling, etc. of their products - or any other matter of an environmental or animal welfare related nature - for the period;

2. Records relating to details and outcomes of any proceedings against your company and/or each of its suppliers in respect of point 1 above; and
3. Records relating to how your company and/or each of your suppliers label eggs, egg products and/or products containing eggs when being sold and/or advertised to consumers. For example, should your company and/or each of your suppliers sell or make use of eggs that are sourced from caged egg farming practices, do your products have a label with the word 'caged' on it in accordance with the Animal Agricultural Products Standards Act 119 of 1990?

Response to request for records relating to the advertising of eggs, egg products or products containing eggs by your company and any complaints raised by consumers in relation thereto

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- ☐ Access to records granted and all available 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 to Burger King SA.

Records relating to the advertising of eggs, egg products or products containing eggs by your company and any complaints raised by consumers in relation thereto

📎 Add File

Records relating to the advertising of eggs, egg products or products containing eggs by each of your company's suppliers and any complaints raised by consumers in relation thereto

📎 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

Environmental, Social and Governance ("ESG")


ESG considerations in the South African egg industry can aid corporations in aligning business practices with constitutional and societal values related to environmental protection, consumer interests, and social responsibility. Adherence with ESG principles can help the industry minimise its negative environmental impact, enhance transparency and trust with consumers, and promote sustainable and ethical practices that benefit both the industry and society as a whole.

Response to request for records relating to your company and/or each of your suppliers' ESG policies, plans, programmes, etc. *

- ☐ Access to records granted and all available 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:
Burger King SA's sustainability policy is currently being reviewed, and we are unable to share the draft version with external parties. In addition, we are obliged to adhere to our Master Franchisor's sustainability policies and procedures.

Records relating to your company's ESG policies, plans, programmes, etc. Add File**Records relating to each of your company's suppliers' ESG policies, plans, programmes, etc.** RE_ _External_ _... Add File**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**

Burger King SA's sustainability policy is currently being reviewed, and we are unable to share the draft version with external parties. In addition, we are obliged to adhere to our Master Franchisor's sustainability policies and procedures.

Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA _BKSA Data_REQ... Add File**Emergency incidents**

Section 30A of NEMA states that a company may be directed verbally or in writing to carry out a listed or specified activity without obtaining an environmental authorisation contemplated in section 24(2)(a) or (b) of NEMA, in order to prevent or contain an emergency situation or to prevent, contain or mitigate the effects of the emergency situation. We request records relating to any such emergency incidents and activities associated therewith during the period.

Response to request for records relating to emergency incidents applicable to your company and/or each of your suppliers

- ☐ Access to records granted and all available 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 relating to emergency incidents applicable to your company

 Add File

Records relating to emergency incidents applicable to each of your company's suppliers

 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

Avian influenza ("bird flu")

As of October 2023, South Africa is experiencing the worst outbreak of bird flu in the country's history. This has resulted in millions of chickens being killed. Chickens are killed even when they are not infected to avoid the spread of the disease. The primary mode of transmission of bird flu is through direct contact with infected birds. If a flock of egg-laying chickens becomes infected with bird flu, the virus can spread rapidly among the birds in close proximity due to the fact that many of them are kept in battery cages. This can occur through respiratory secretions, feces, and other bodily fluids of infected birds. Bird flu affects access to food, food safety, the right to a healthy environment, animal welfare, etc.

We request the following:

1. Records relating to whether your company and/or each of your suppliers have been affected by bird flu during the period;
2. Records relating to the number of chickens that your company and/or each of your suppliers have killed as a result of bird flu;
3. Records relating to policies/ plans put in place by your company and/or each of your suppliers to address bird flu outbreaks; and
4. Records relating to your company and/or each of your suppliers' waste management policies /plans for the disposal of infected bird carcasses.

Response to request for records relating to your company and/or its suppliers' experience with/ response to bird flu

- ☐ Access to records granted and all available 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 relating to your company's experience with/ response to bird flu

 Add File

Records relating to each of your company's suppliers' experience with/ response to bird flu

Not applicable.

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

Cage farming in the egg industry

At least 86% of the approximately 27 million egg laying hens in South Africa live in cages. Cages are considered cruel to chickens because they confine birds in extremely small spaces, leading to health issues, stress, and limited natural behaviors. These cramped conditions are detrimental to the well-being of the hens and have prompted bans or phase-outs in many countries.

We request the following:

1. Records relating to your company and/or each of your suppliers' justification of the use of cages. For example, recommendations or scientific studies including, but not limited to a report published by the National Agricultural Marketing Council ("NAMC") commissioned by the South African Poultry Association ("SAPA"); and
2. Records relating to costing done by your company and/or each of your suppliers to transition to cage-free egg farming systems.

Response to request for records relating to your company's justification of the use of cages *

- ☐ Access to records granted and all available 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 relating to each of your company's suppliers' justification of the use of cages

 Add File

Records relating to each of your company's suppliers' justification of the use of cages

 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

Energy usage

The agricultural industry is the second largest contributor to anthropogenic greenhouse gas ("GHG") emissions worldwide. South Africa relies heavily on coal for its energy needs, and the country faces challenges such as coal supply disruptions and aging power infrastructure. The energy crisis which South Africa is experiencing has led to the shut down of animal facilities leading to the death of millions of animals and food safety concerns. The egg industry relies on energy for heating, cooling, lighting, and processing. Protecting energy, and upholding the environmental right, involves making use of sustainable and clean energy sources. Corporations have a role in transitioning to cleaner energy sources and reducing their carbon footprint to mitigate the impact of climate change.

We request the following in terms of NEMA and other applicable legislation including the Carbon Tax Act 15 of 2019 and the National Energy Act 34 of 2008:

1. Records relating to your company and/or each of your suppliers' reliance on renewable energy sources;
2. Records relating to your company and/or each of your suppliers' renewable energy policies or plans;
3. Records relating to the percentage of energy that is used for egg production/ keeping Layer Hens/ any other aspect of the egg supply chain by your company and/or each of your suppliers;
4. Records relating to your company and/or each of your suppliers' greenhouse gas emissions ("GHG") prevention plans/policies;
5. Records relating to the measurement and/or quantity of GHG emissions of your company and its suppliers; and
6. Records relating to your company and/or each of your suppliers' mechanisms which are in place to offset loadshedding.

Response to request for records relating to energy usage *

- ☐ 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
- ☒ Other: Not applicable.

Records relating to your company's energy usage and/or affidavit and/or justification for ground of refusal (as applicable) Add File**Records relating to each of your company's suppliers' energy usage 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**Water usage**

The agricultural industry is the largest consumer of fresh water worldwide. Egg production requires significant amounts of water for the hens themselves, as well as for cleaning and processing facilities. Preserving water in is vital for upholding the right to a healthy environment. It is a multifaceted issue that touches on human health, ecosystem health, economic stability, social equity and food security. By conserving water resources, South Africa can better maintain a healthy environment for current and future generations as envisaged by the environmental right.

We request the following in accordance with section 19, 21 and 22 of the National Water Act 36 of 1998 ("NWA"), and any other applicable legislation:

1. Records relating to your company and/or its suppliers' water use license for the period;
2. Records relating to your company and/or its suppliers' annual water usage;
3. Records relating to the percentage of water that is used for egg production/ keeping Layer Hens/ any other aspect of the egg supply chain by your company and/or each of your suppliers;
4. Records relating to your company and/or each of your suppliers' water use policy; and

5. Records relating to your company and/or each of your suppliers' water pollution prevention plans.

Response to request for records relating to water usage *

- ☐ Access to records granted and all available 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 to Burger King SA.

Records relating to your company's water usage and/or affidavit and/or justification for ground of refusal (as applicable)

 Add File

Records relating to each of your company's suppliers' water usage 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 to Burger King SA.

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

 Add File

Waste management

Waste management in the egg supply chain in South Africa is important for upholding the right to a healthy environment by preventing pollution, improving animal welfare, protecting public health, conserving resources, and promoting sustainability. Responsible waste management is not only a legal requirement but also a moral and ethical obligation to protect the environment and ensure a better quality of life for current and future generations.

We request records related to section 12, 16, 17 and 25, the National Environmental Management: Waste Act 59 of 2008 ("NEMWA"), and other applicable legislation, including:

1. Records relating to your company and/or each of your suppliers' waste management policy/ plan;
2. Records relating to your company and/or each of your suppliers' waste management policy/ plan for the transportation and disposal of carcasses which are infected with disease;
3. Records relating to your company and/ or each of your suppliers' waste management policy/ plan for the disposal of carcasses of male chicks that have been culled;
4. Records relating to your company and/or each of your suppliers' implementation of a circular waste feeding system; and
5. Records relating to your company and/or each of your suppliers' waste recycling policy/ plan.

Response to request for records relating to waste management *

- ☐ Access to records granted and all available 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:
Burger King SA's sustainability policy is currently being reviewed, and we are unable to share the draft version with external parties. In addition, we are obliged to adhere to our Master Franchisor's sustainability policies and procedures.

Records relating to your company's waste management and/or affidavit and/or justification for ground of refusal (as applicable) Add File**Records relating to each of your company's suppliers' waste management 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**Air quality**

Improving air quality and preventing air pollution in the egg supply chain in South Africa is essential for upholding the right to a healthy environment by safeguarding human health, protecting the environment, complying with regulations, promoting social responsibility, supporting sustainability, mitigating climate change, and ensuring economic stability. It is a holistic approach that benefits both people and the environment.

We request the following in terms of section 21, 27, 31 and 38 of the National Environmental Management: Air Quality Act 39 of 2004 ("NEMAQA") and other applicable legislation, to assess your company and/or your suppliers' commitment to preventing air pollution and improving air quality effectively:

1. Records relating to your company and/or each of its suppliers' air pollution prevention plans / policies;
2. Records relating to your company and/or each of its suppliers' emission inventories which record the types and quantities of pollutants released into the air;
3. Records relating to your company and or/each of its suppliers' air quality monitoring data; and

4. Records relating to your company and/ or each of its suppliers' use of pollution control equipment.

Response to request for records relating to waste management *

- ☐ Access to records granted and all available 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 to Burger King SA.

Your company's records relating to air quality and/or air pollution and/or affidavit and/or justification for ground of refusal (as applicable)

 Add File

Each of your company's suppliers' records relating to air quality and/or air pollution and/or affidavit and/or 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 applciable to Burger King SA.

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

 Add File

Soil quality

Maintaining healthy soil quality and preventing soil pollution in the egg supply chain in South Africa is an important aspect of upholding the right to a healthy environment. It supports agricultural sustainability, preserves ecosystem health, protects water quality, safeguards human health, promotes biodiversity conservation, ensures regulatory compliance, prevents soil erosion, contributes to climate change mitigation, and supports long-term sustainability. A healthy environment relies on the responsible management and protection of this essential natural resource.

We request the following in terms of section 36, 37, 38, 39, 40 and 41 of the NEMWA and other applicable legislation:

1. Records relating to your company and/or each of its suppliers' soil pollution prevention plans / policies;
2. Records relating to your company and/or each of its suppliers' soil management plans;
3. Records relating to your company and/or each of its suppliers' chemical usage, including for pesticide and fertilizer application, types, quantities, and application rates, etc.;
4. Records relating to your company and or/each of its suppliers' soil conservation training; and
5. Records relating to your company and/ or each of its suppliers' soil health indicators.

Response to request for records relating to soil quality *

- ☐ Access to records granted and all available 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

Records relating to your company's soil quality and/or affidavit and/or justification for ground of refusal (as applicable) Add File**Records relating to each of your company's suppliers' soil quality 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 to Burger King SA.
.....

Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA Add File**Environmental or sustainability commitments**

Environmental and sustainability commitments serve as a useful mechanism for upholding environmental rights by guiding actions and policies of corporations towards sustainable practices, pollution reduction, and ecosystem protection, ultimately ensuring a healthier environment for all, including animals.

We request records relating to

your company and/or each of your suppliers' environmental commitments, progress towards these commitments, including:

1. Sustainability commitments;
2. Net Zero
(Carbon Footprint) commitments;
3. Renewable
energy use commitments;
4. Water
conservation commitments; and

5. Other

commitments that may be relevant based on the explanation of the Project.

Response to request for records relating to your company and/or each of your suppliers' environmental commitments and progress made in respect of said commitments

- ☐ Access to records granted and all available 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:

Burger King SA's sustainability policy is currently being reviewed, and we are unable to share the draft version with external parties. In addition, we are obliged to adhere to our Master Franchisor's sustainability policies and procedures.

Records relating to your company's environmental commitments and progress made in respect of said commitments

 Add File

Records relating to each of your company's suppliers' environmental commitments and progress made in respect of said commitments


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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)

Burger King SA's sustainability policy is currently being reviewed, and we are unable to share the draft version with external parties. In addition, we are obliged to adhere to our Master Franchisor's sustainability policies and procedures.

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

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Social and Ethics Committee


Section 72(4) of the Companies Act 71 of 2008 provides that the Minister of Trade, Industry and Competition may, by regulation, prescribe a category of companies that must each have a Social and Ethics committee. The committee is concerned with a company's responsibility in areas dealing with social, commercial and environmental matters.

Response to request for records relating to your company and/ committee's terms of reference, minutes for the period and any reports and related supporting documentation

- ☐ Access to records granted and all available 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

Records relating to your company's Social and Ethics Committee's terms of reference, minutes for the period and any reports and related supporting documentation Add File**Records relating to each of your suppliers' Social and Ethics Committee's terms of reference, minutes for the period and any reports and related supporting documentation** Add File**To the extent that partial or no access was granted, please explain why (as required by section 63 - 69 of PAIA)**

Burger King SA has a functional Social and Ethics Committee. We are currently undergoing our annual policy review process, accordingly, we are unable to provide the Social and Ethics Committee charter for your consideration. In addition, the Social and Ethics Committee requirement does not apply to our Master Franchisor because it is a foreign registered company.

Records showing that relevant third party/ies have/has been approached in terms of section 71 of PAIA _BKSA Data_REQ... Add File**Environmental membership records**

Regulatory bodies and/or associations aid corporations in maintaining compliance with environmental laws and regulations, fostering responsible corporate behavior, and contributing to a more sustainable and environmentally-conscious business landscape. We request records relating to any or all membership (present and past) with environmental bodies and/ or associations. This includes correspondence or documentation confirming, refusing, suspending, terminating, or otherwise relating to any membership of any of the following (as applicable) ("the Associations"):

1. Sustainability Initiative of South Africa ("SIZA");
2. Sustainable Retailer Forum;
3. The South African Plastics Recycling Organization ("SAPRO");
4. The Environmental Education Association of Southern Africa ("EEASA");

5. The Wildlife and Environment Society of South Africa ("WESSA");
6. The South African Photovoltaic Industry Association ("SAPVIA");
7. National Association of Clean Air ("NACA");
8. Any other environmental organisations or associations that may be relevant based on the aforementioned description of the Project (the "Associations", as applicable).

Response to request for records relating to your company and/or each of your suppliers' membership with environmental associations and/or regulatory bodies

- ☐ Access to records granted and all available 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 to Burger King SA.

Records relating to your company's membership with environmental associations and/or regulatory bodies

 Add File

Records relating to each of your company's suppliers' membership with environmental associations and/or regulatory bodies

 Add File

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

This is not applicable to Burger King SA.

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

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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 available 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

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 to Burger King SA.

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

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