

LAYING DOWN THE FACTS **V2**

ANIMAL WELFARE STANDARDS
OF THE COMPANIES
PROVIDING YOUR FAVOURITE FOODS



CORPORATE ACCOUNTABILITY
AND THE EGG INDUSTRY IN
SOUTH AFRICA

***NOTE:** This is Version 2 of the report titled “*Laying Down the Facts: Animal Welfare Standards of the Companies Providing Your Favourite Foods*” originally published in August 2023 (“**Version 1 of the Initial Report**”). Revisions are indicated throughout this report in red font, with red asterisks and/or yellow highlighting. For a full record of all changes, see the **Revision Note** on pages 281-283 below. Any reference to the Initial Report or “this report” made throughout this document should be regarded as a reference to Version 2, rather than Version 1 of the Initial Report.

ANIMAL LAW REFORM SOUTH AFRICA

Animal Law Reform South Africa (“**ALRSA**”) is South Africa's first and only dedicated animal law non-profit organisation. ALRSA envisages a society whose laws, courts, enforcement agencies and private entities advance the protection and flourishing of humans, non-human animals and the environment, and are held accountable.

ALRSA operates through three key Pillars being: **Animal Flourishing; Social Justice; the Law.**

ALRSA undertakes its work through three main “Mechanisms”, namely:

Education & Research; Legislative & Policy Reform; Litigation & Legal services.

Through these Mechanisms, ALRSA aims to contribute to the development of a robust animal law ecosystem in South Africa **which recognises the intrinsic worth of non-human animals as sentient beings.** Our work is grounded in our understanding that it is critical for a context-sensitive approach to be taken to the furtherance of animal protection in South Africa, and that the impact of our work is enhanced through an intersectional understanding of animal flourishing, social justice and environmental protection.

ALRSA is a civil society organisation and registered non-profit company and NPO acting in the public interest.

ACKNOWLEDGEMENTS

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*PLEASE READ OUR LEGAL AND DISCLAIMERS SECTION.

PLEASE CONSULT OUR GLOSSARY FOR A LIST OF DEFINED TERMS. Unless the context otherwise requires, capitalised terms have the meanings ascribed to them in the Glossary.

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This Initial Report and other information relating to the Project are accessible at: www.animallawreformsouthafrica.org

We welcome comments, corrections, suggestions on and proposed amendments to this Initial Report including by the Selected Stakeholders.

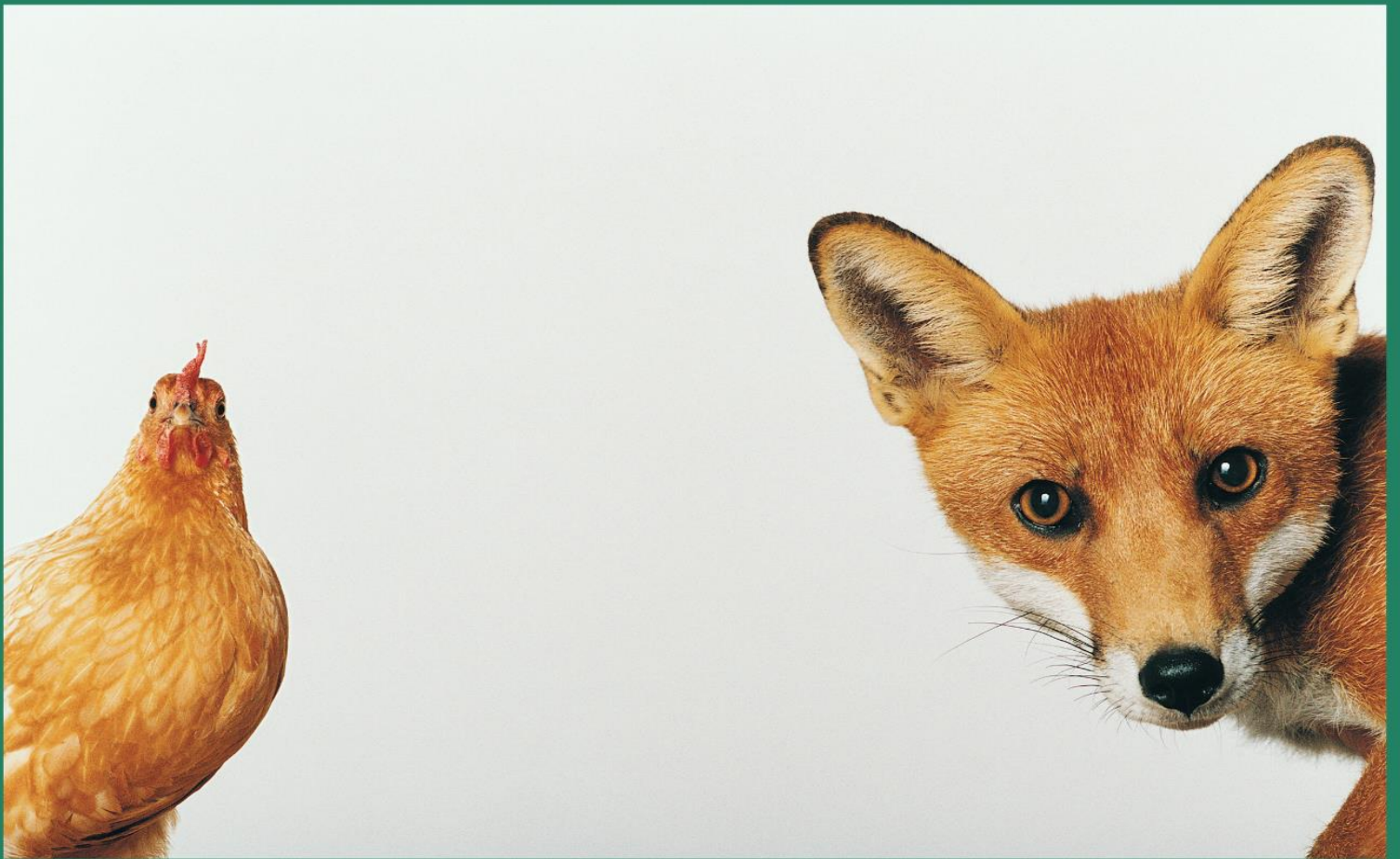
We remain committed to engaging in an open and transparent manner in respect of this Initial Report. We reserve the right to amend this Initial Report.

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SECTION IV

THE FOX AND THE HENHOUSE: STAKEHOLDER COMPONENT



ANIMAL LAW REFORM
SOUTH AFRICA

SECTION IV: THE FOX AND THE HENHOUSE: STAKEHOLDER COMPONENT

PART A: INTRODUCTION

While the Industry Component in Section II locates egg production within the Poultry Industry, and the Research Component in Section III outlines the regulatory regime applicable to the role-players in the Egg Supply Chain, this Section IV is our Stakeholder Component (Component 2 of the Project). It discusses the performance and commitment of 36 (or 3 dozen) Selected Stakeholders⁶⁷⁸ in relation to enhancing animal welfare, transparency, and corporate accountability in the Egg Supply Chain.

As set out in Part B below, the methodology for the Stakeholder Component of the Project was extensive. It entailed, first, a Stakeholder Mapping process to understand, holistically, the numerous role-players in the Egg Supply Chain. Secondly, we identified Selected Stakeholders with whom we would engage and about whom we are reporting. Thirdly, we engaged in an extensive stakeholder engagement process. Relying on the right to access to information provided for in section 32 of the Constitution and the PAIA, which gives effect to that right, we requested access to information from the Selected Stakeholders to facilitate our stakeholder engagement. We did so by completing Form C, an appendix to Regulations promulgated in terms of PAIA.⁶⁷⁹ The information requested in terms of PAIA was intended to illustrate attitudes, policies, and practices of the Selected Stakeholders in relation to enhancing animal welfare, transparency and corporate accountability in the Egg Supply Chain. Having regard to several of the identified Pillars discussed in Section III, PAIA requests were drafted and then tailored depending on the role of the Selected Stakeholder within the Egg Supply Chain, in order to gain relevant information. Selected Stakeholders' responses (or the lack thereof) to our PAIA requests would form the basis for our rating and analysis (see Part C and Part D, respectively). Fourthly, our methodology entailed developing the Rating Criteria⁶⁸⁰ and Indicators⁶⁸¹

⁶⁷⁸ The entities in the Egg Supply Chain being either a retailer, hotel chain, fast food chain, restaurant, egg producer or cage and/or feed manufacturer selected for analysis in this Initial Report, listed in annexure 1. Where a Selected Stakeholder is a multinational corporation, this Initial Report refers to their presence in South Africa (whether as a subsidiary or otherwise).

⁶⁷⁹ Regulation 10 of PAIA.

⁶⁸⁰ A set of 10 criteria against which Selected Stakeholders are evaluated by ALRSA in the Report, each with several Indicators.

⁶⁸¹ To evaluate the Selected Stakeholders against each Criteria, Indicators have been developed which inform the colour-ratings applied in respect of each Criteria. The Indicators enable more detailed inquiries in respect of our analysis of Selected Stakeholders and their efforts (or lack thereof) towards animal welfare, transparency and willingness to engage with ALRSA concerning their involvement in the Egg Supply Chain.

against which we rated the Selected Stakeholders (as per Part C). This was done in conjunction with the stakeholder engagement process. Fifthly, we applied the Rating Criteria and Indicators to the Selected Stakeholders. Lastly, this Stakeholder Component was prepared, allowing for analysis (as per Part D).

In this Section IV, we provide the public with information about who some of the key role-players in the Egg Supply Chain are; and how they are performing in relation to animal welfare, corporate accountability, and transparency in the Egg Supply Chain in terms of ALRSA's rating system.

This Stakeholder Component aims to increase consumer awareness concerning animal welfare issues in the Egg Supply Chain about the attitudes, policies, and practice of the Selected Stakeholders. This awareness could, in turn, empower consumers to make more informed choices, and to demand more of role-players in relation to animal welfare, particularly the Selected Stakeholders. It also aims to promote improved transparency and corporate accountability from the Selected Stakeholders, based on their ratings and the ratings of other Selected Stakeholders.

This Stakeholder Component, to our knowledge, is the first of its kind in Africa, and was prepared in the public interest to advance, among others, the fulfilment of the right to an environment not harmful to health or well-being enshrined in section 24 of the Constitution, as well as the constitutional values of transparency and corporate accountability.

Our intention is to supplement and update this Stakeholder Component following further engagement with the Selected Stakeholders and other role-players in the Egg Supply Chain, and to expand on or amend our Rating Criteria and Indicators as appropriate. Selected Stakeholders and other interested parties are encouraged to raise any questions or concerns about the rating and analysis set out below with us. In the spirit of collaboration and as part of the collective effort to enhance animal welfare and a just transition towards a cage-free Egg Supply Chain, we urge Selected Stakeholders to engage with us and provide further information which could assist in promoting animal flourishing.

The structure of the Stakeholder Component is as follows. Next, in Part B, we set out our methodology in more detail. Then, in Part C, we tabulate our rating of the Selected Stakeholders against the Rating Criteria and Indicators developed. Lastly, under Part D we set out our analysis. Recommendations arising from our analysis can be found in Section V of our Initial Report.

PART B: METHODOLOGY

The methodology for this Stakeholder Component involved the following steps during the period from July 2022 to July 2023.

- **STEP 1: STAKEHOLDER MAPPING**, when we identified and mapped out stakeholders in the Egg Supply Chain.
- **STEP 2: STAKEHOLDER SELECTION**, when in view of the Stakeholder Mapping, we identified and selected 36 Selected Stakeholders for analysis and rating in this Stakeholder Component based on three selection criteria.
- **STEP 3: STAKEHOLDER ENGAGEMENT**, which involved locating the PAIA Manuals⁶⁸² (statutorily required to be publicly available)⁶⁸³ of Selected Stakeholders and other necessary information to make requests for access to records from Selected Stakeholders in terms of PAIA (PAIA requests), which were dispatched with letters explaining the rationale for our requests and background to this Project. Thereafter, we engaged in correspondence with Selected Stakeholders in relation to their responses or lack thereof.
- **STEP 4: DEVELOPING RATING CRITERIA AND INDICATORS** against which Selected Stakeholders would be rated, as well as determining a scoring system.
- **STEP 5: RATING** the Selected Stakeholders based on an analysis of the information and correspondence received in response to our PAIA requests (or lack thereof).
- **STEP 6: REPORTING** on our findings.

Each step is discussed in more detail below.

STEP 1: STAKEHOLDER MAPPING

As set out in Section II (Industry Component), the Egg Supply Chain is vast and complex, given the many role-players involved in producing various types of eggs for consumption. Many studies and reports focus on corporate accountability and animal welfare in relation to specific role-players of the Egg Supply Chain, such as retailers and fast food and restaurants.⁶⁸⁴ In order to advance Corporate Accountability across the Egg Supply Chain more holistically, and recognising the extensive and complex nature of the Egg Supply Chain, we endeavoured to map out and draw links among a diverse range role-players, including those involved in manufacturing poultry farming equipment and feed for

⁶⁸² The Manual referred to in s 51 of PAIA which must be compiled by the head of the private body, updated regularly, and must contain, among other things, contact details, records available without the need for a PAIA request, records available in terms of applicable legislation, details as to how to request information.

⁶⁸³ See section 14 of PAIA.

⁶⁸⁴ These include, but not limited to the Mercy for Animals Canada Animal Welfare Scorecard 2021; Asia Research and Engagement: Responsible Protein Sourcing in Asia: Baseline Benchmark Report 2022; the Forum Nacional de Protecao E Defese Animal EggLab Report 2022.

chickens, those involved in breeding and rearing Layer Hens, those involved in egg production, and those who facilitate the sale of eggs or egg products to the public for consumption. In addition, we recognised that Industry Associations such as the SAPA, and Relevant Authorities such as the NSPCA exercise some degree of oversight, as discussed elsewhere in this Initial Report.

To map the role-players, we conducted extensive desktop research, and identified over 200 entities (playing diverse roles) involved in the Egg Supply Chain. For instance, we consulted various sources, including but not limited to, the WOW Report⁶⁸⁵ the World Animal Protection Pecking Order Report 2021,⁶⁸⁶ information publicly available from SAPA,⁶⁸⁷ reports from DALRRD,⁶⁸⁸ the DFFE,⁶⁸⁹ and the NSPCA.⁶⁹⁰ The role-players that we identified are by no means exhaustive. A limitation of our research is that we did not map out role-players involved in the informal egg production and supply economy. A further limitation is that we did not attempt to comprehensively map out role-players involved in the production, distribution, and consumption of powdered and liquid eggs.

Our research revealed a vast array of role-players in the Egg Supply Chain from “fertilization to plate” and everything in-between. Whilst we identified over 200 role-players, our mapping was focused predominantly on identifying large Corporations (as opposed to smaller operations) involved in the Egg Supply Chain. This is because the activities of large Corporations potentially impact on the welfare of the most significant number of chickens and Chicks, given the size of their market share. For instance, according to the WOW report, Quantum Foods obtains 44% of its company revenue from animal feeds, 27% from broiler and layer farming and 24% from eggs. Furthermore, this Corporation has sold 1.2 billion eggs and egg products and produced 76 million day-old Chicks.⁶⁹¹

A starting assumption was that the types of feed manufactured, cages produced, and egg production systems utilised all have the potential to impair animal flourishing, particularly where Cruel Practices are at play. Further, large Corporations involved in facilitating the sale of eggs produced pursuant to Cruel Practices are complicit in these Cruel Practices. At the same time, these Corporations potentially have a significant influence in the industry practice (given the scale of their operations).

Drawing on our desktop research, we identified role-players in accordance with the function performed in respect of entities’ involvement in the Egg Supply Chain. There are various ways in

⁶⁸⁵ Available for purchase at <https://www.whoownswhom.co.za/store/poultry-egg-industry-south-africa/>.

⁶⁸⁶ Available at <https://www.worldanimalprotection.org/pecking-order-2021>.

⁶⁸⁷ See for instance the Poultry Bulletin Available at <https://www.sapoultry.co.za/poultry-bulletin-feb-march-2022/>; SAPA, on its website, provides a list of Allied Members and Accredited Suppliers. This list is available at <https://www.sapoultry.co.za/allied-member/>.

⁶⁸⁸ [https://nationalgovernment.co.za/department_annual/403/2022-department-of-agriculture-land-reform-and-rural-development-\(dalrrd\)-annual-report.pdf](https://nationalgovernment.co.za/department_annual/403/2022-department-of-agriculture-land-reform-and-rural-development-(dalrrd)-annual-report.pdf).

⁶⁸⁹ <https://www.dffe.gov.za/sites/default/files/reports/necer2020.2021report.pdf>.

⁶⁹⁰ <https://nspca.co.za/annual-reports/>.

⁶⁹¹ Who Owns Whom Report 2021.

which these role-players can be grouped, depending on the focus and purpose of one's research.⁶⁹² According to the WOW Report:

“[t]here are five major parts to the Poultry and Egg Industry. Upstream are poultry breeders and feed suppliers. The breeders supply broiler chickens to the broiler industry and layer Pullets to the Egg Industry. Broiler operations and egg-laying operations are the heart of the industry. Downstream, meat processors are supplied products by the broiler industry to generate consumer products. There is significant integration of these parts into the operations of single companies in the industry and concentration of market share is found throughout the value chain”.

Given that our focus was on the Egg Supply Chain, and had the goal of identifying those Corporations who impact on animal welfare the most, or have the most influence on animal welfare, we grouped role-players as participating in three core stages in the Egg Supply Chain:

- **Egg Supply Chain Stage 1:** The **Farming the Feed** stage in which the actions that make Layer Hen farming possible take place, including the manufacturing of chicken feed and equipment (such as Battery Cages).
- **Egg Supply Chain Stage 2:** The **Farming the Chickens and Eggs** stage in which chickens are bred, born, raised and then introduced into the larger flock of commercial producers, and when eggs are produced from Layer Hens. Producers include independent producers, wholesale distributors, and free-range producers.
- **Egg Supply Chain Stage 3:** The **Market** stage is the point at which consumers can directly engage with eggs through retailers, wholesalers, hotels, catering companies, fast food outlets, restaurants, and others.

In relation to stage 1, we identified that 75% of animal feed supplied to South Africa's poultry producers is manufactured by Epol (Pty) Ltd, a subsidiary of RCL Foods Ltd, AFGRI Group Holding Proprietary Ltd (AFGRI), an agricultural services company, and Meadow Feeds (Pty) Ltd, a subsidiary of Astral Operations Ltd.⁶⁹³ Globally, Big Dutchman AG (a German holding company), claims to be “the market leader” in the manufacturing of feeding systems and housing equipment for modern pig and poultry production.⁶⁹⁴ Their South African subsidiary is Big Dutchman South Africa. This entity is the primary distributor of cages and equipment in respect of the Egg Supply Chain and supplies a range of Pullet rearing and laying cages to egg producers in the country.

In relation to stage 2, we identified breeders such as A & J Broiler Breeders (Pty) Ltd, Namajaca Poultry (Pty) Ltd, and Omphile Letlotlo (Pty) Ltd. These are relatively small role-players. Hatcheries identified include Hy-Line South Africa (Pty) Ltd, Rossouw Pluimvee Eiers (Pty) Ltd, and Arbor Acres South Africa (Pty) Ltd. Free-range producers identified include Windmeul Eggs (Pty) Ltd, Elgin Free Range Eggs (Pty) Ltd and Alzu Eggs (Division of Alzu Ondernemings (Pty) Ltd. In contrast with producers that operate as “integrated systems”, these Corporations have less power in terms of

⁶⁹² DALRRD Value Chain Report 2019.

⁶⁹³ Who Owns Whom Report 2021.

⁶⁹⁴ <https://www.bigdutchman.com/en/portal-en/>.

influencing the means of production of fresh eggs (such as free-range production as opposed to eggs produced in cages) sold by retailers, and at what price. As such, they were not the focus of the Project. Companies that operate using integrated systems tend to make extensive use of contract growers.⁶⁹⁵ It is reported that:

*“This concentration of production capacity is also characterised by the fact that these companies are highly integrated with backward linkages into the provision of feed, breeding and rearing and also forward linkages into processing, distribution and even retail and export markets”.*⁶⁹⁶

We established that such Corporations (i.e., those operating integrated systems) represent extremely powerful players in terms of influencing how eggs are produced and sold to the market. An example is Top-Lay Eierkoöperasie Beperk Primary Cooperative, which sells eggs on behalf of roughly 50 farmers. Together with Quantum Foods (Pty) Ltd (primarily through its Nulaid brand) and Eggbert Eggs (Pty) Ltd, Top-Lay is reported as accounting for 51% of South Africa’s egg production (in stage 2 of the Egg Supply Chain).⁶⁹⁷

Stage 3 represents the largest number of role-players in the Egg Supply Chain. This is likely because a vast number of retailers, hotels, fast food outlets, and restaurants serve the millions of eggs produced, whilst the majority of these eggs are largely sourced from a handful of dominant egg producers, which in turn rely on a small number of equipment (cage and feed) manufacturers.

In relation to stage 3, to identify retailers we drew from the Deloitte Global Powers of Retailing Top 250 2023 Report,⁶⁹⁸ which revealed that Woolworths Holdings Ltd is ranked the 225th biggest retailer in the world in terms of retail revenue, Spar Group Ltd, ranked 135th, and Pick n Pay Stores Ltd is ranked 180th. While the Deloitte ranking speaks to these retailers’ global retail revenue, the Corporations are also dominant in South Africa.⁶⁹⁹ For instance, SAPA identifies these major retailers as playing a role in the Egg Supply Chain, along with Shoprite Holdings (Pty) Ltd and MassMart Holding (Pty) Ltd.⁷⁰⁰

When identifying other role-players in stage 3 of the Egg Supply Chain, we drew on various reports.⁷⁰¹ Drawing from these reports, we identified wholesalers such as Bidcorporation Ltd, Pioneer Food

⁶⁹⁵ Who Owns Whom Report 2021.

⁶⁹⁶ Who Owns Whom Report 2021.

⁶⁹⁷ Who Owns Whom Report 2021.

⁶⁹⁸ Deloitte Global Powers of Retailing 2023 Report, available at <https://www.deloitte.com/content/dam/assets-shared/legacy/docs/analysis/2022/gx-global-powers-of-retailing-v9.pdf>.

⁶⁹⁹ Deloitte Global Powers of Retailing 2023 Report, available at <https://www.deloitte.com/content/dam/assets-shared/legacy/docs/analysis/2022/gx-global-powers-of-retailing-v9.pdf>.

⁷⁰⁰ SAPA Statistic Reports, available at <https://www.sapoultry.co.za/statistics-reports/>.

⁷⁰¹ These include governmental reports such as DALRRD annual report 2021 - 2022, available at [https://nationalgovernment.co.za/department_annual/403/2022-department-of-agriculture-land-reform-and-rural-development-\(dalrrd\)-annual-report.pdf](https://nationalgovernment.co.za/department_annual/403/2022-department-of-agriculture-land-reform-and-rural-development-(dalrrd)-annual-report.pdf); Animal welfare reports such as Mercy for Animals, Count your

Group Ltd, Tiger Brands Ltd, and National Brands Ltd as involved in the egg supply chain in various forms. We noted that many role-players in the Egg Supply Chain are subsidiaries of multinational Corporations, such as the fast-food chain, KFC, owned by Yum!Brands Inc, Unilever South Africa, owned by Unilever Proprietary Ltd, and Nandos, owned by Chickenland (Pty) Ltd. Other Corporations are only operational in South Africa, but still have a significant market share within the country. An example is Spur Corporation Ltd, a South African Corporation that owns various fast-food outlets and restaurants, including Spur Corporation Ltd and Rocomamas Franchise Co. (Pty) Ltd. Famous Brands Ltd is a South African Corporation with various fast-food outlets and well-known restaurants such as Steers, Wimpy and Mugg n Bean under its umbrella. In respect of hotels, we identified the biggest hotel chains in the world: Marriott and Hilton Hotels (which also have hotels located in South Africa).⁷⁰² Furthermore, hotels such as City Lodge⁷⁰³ and Sun International⁷⁰⁴ originated in South Africa and have hotels with ownership and operations across the continent.

Having mapped out the Egg Supply Chain comprehensively, we were able to identify Selected Stakeholders with whom we would engage to obtain information for purposes of our Stakeholder Component. The identification of Selected Stakeholders is discussed next.

STEP 2: STAKEHOLDER SELECTION

Given the aims of our Initial Report, 36 (or 3 dozen) Selected Stakeholders were identified for rating in this Section IV of our Initial Report. Three selection criteria informed the identification of the Selected Stakeholders, namely: (a) size of market share; (b) Corporations identified by OWA as significant for their work; and/or (c) apparent popularity. Other role-players were identified as potentially meeting one or more of these selection criteria but are not reported on given the scope and time constraints in respect of our research. These include, but are not limited to, Country Bird Holding Ltd, Crown Chickens (Pty) Ltd, Alzu Ondernemings (Pty) Ltd, and Food Lovers Holdings (Pty) Ltd. We may report on these and/or additional role-players in future.

I. Size of Market Share

Our Stakeholder Mapping exercise revealed that some role-players in the Egg Supply Chain have a significant share of the market, as discussed above. Selected Stakeholders are generally those with a significant market share in one of the three stages of the Egg Supply Chain. To narrow the scope of our inquiry, small-scale role-players identified through our mapping exercise were not selected. Some

chicken report 2022 available at <https://mercyforanimals.org/count-your-chickens-report/> and industry reports such as the Who Owns Whom Report 2021.

⁷⁰² <https://hospitalityinsights.ehl.edu/biggest-hotel-chains>.

⁷⁰³ <https://clhg.com/company-profile>.

⁷⁰⁴

<https://corporate.suninternational.com/about/history/#:~:text=As%20one%20of%20Africa's%20most,eSwatini%2C%20Botswana%2C%20and%20Lesotho>.

of the small-scale role-players not reported on include, but not limited to, Voermol Feeds Ltd, Namajaca Poultry Ltd, and Sapuma Eggs CC.

II. OWA Global Cage-Free Campaign

ALRSA is a member of OWA (specifically, the Africa group), which has the objective of ending the abuse of chickens worldwide. Their first step toward achieving this ambitious goal is eliminating Battery Cages from our world, and they are working towards achieving that vision, one cage-free policy at a time. It is made up of 90+ member organisations globally.

OWA and its partners have done considerable research into the role-players involved in the production and consumption of eggs in Africa and globally to pursue its cage free objective. This research has resulted in longstanding and successful advocacy campaigns against caged egg production and supply by various Corporations.⁷⁰⁵ Role-players identified by OWA as significant to advancing their global and regional Cage-Free Campaigns were chosen as Selected Stakeholders for part of this Project and for rating.⁷⁰⁶

III. Popularity: Well-known / prevalent players / familiar and iconic brands in ZA to the general public

With reference to the Ask Africa Icon Brands 2020/2021 report,⁷⁰⁷ we identified Corporations that are considered prevalent, well-known, or popular in the Egg Supply Chain. Role-players such as Mugg n Bean, Pick n Pay, KFC, and Shoprite were identified on this basis.

While some Selected Stakeholders are involved in various stages and have multiple roles in the Egg Supply Chain (including through other brands, holding companies, subsidiaries or otherwise), for purposes of this Stakeholder Component, they have been grouped as follows (with the major retailers, fast food outlets and restaurants, wholesalers and manufacturers, and hotels falling within stage 3 of the Egg Supply Chain, and egg producers falling within stage 2, and feed, cage, and other equipment producers falling within stage 1:

⁷⁰⁵ For instance, in November 2022, ALRSA along with other OWA Africa launched the OWA Africa Regional Campaign against Pick n Pay due to a recent investigation revealing that Pick n Pay is supporting animal cruelty by sourcing their eggs from farms that practice cruel Battery Cage farming. More information is available at <https://safcei.org/owa-africa-regional-campaign-against-pick-n-pay-14-30-november-2022/>.

⁷⁰⁶ Notably, ALRSA's Rating Criteria and Indicators as well as Ratings of Selected Stakeholders are not necessarily reflective of OWA's ratings of such Selected Stakeholders. Due to ALRSA only considering information provided (or not provided) by Selected Stakeholders in terms of the PAIA process, Selected Stakeholders actual commitments including Cage Free Commitments may not have been factored into their overall rating and may not be reflective of actual actions and progress towards commitments or otherwise.

⁷⁰⁷ Ask Africa Icon Brands has been tracking consumer trends specifically with regards to brand and product loyalty among South African consumers from 2010. This survey is the largest benchmark of its kind in South Africa and measures thousands of brands across 238 product categories. The latest such report is available at <https://www.askafrika.co.za/wp-content/uploads/2020/10/Ask-Afrika-CP.pdf>.

1. **Major retailers**, namely: (1) Pick n Pay; (2) Shoprite; (3) Spar; (4) Woolworths; and (5) MassMart (Selected Stakeholders 1 to 5).
2. **Fast food outlets and restaurants**, namely: (6) Spur; (7) Rocommamas; (8) Mugg n Bean; (9) Wimpy; (10) Steers; (11) Nandos; (12) Papachinos; (13) Kauai; (14) KFC; (15) McDonalds; and (16) Subway; and (17) Bidvest (Selected Stakeholders 6 to 17).
3. **Wholesalers and manufacturers**, namely: (18) Tiger Brands; (19) Bakers; (20) Unilever; (21) Pioneer Food Group; (22) Rhodes Food Group; (23) Bidcorp; (Selected Stakeholders 18 to 23).
4. **Hotels**, namely: (24) Sun International; (25) City Lodge; (26) Southern Sun; (27) Hotel Verde; (28) Marriott Hotels; and (29) Hilton Hotels (Selected Stakeholder Stakeholders 24 to 29).
5. **Egg producers and equipment, cage, and feed producers**, namely: (30) Eggbert; (31) Quantum Foods; (32) TopLay; (33) Big Dutchman; (34) AFGRI; (35) RCL Foods; and (36) Meadow Feeds (stakeholders 30 to 36).

STEP 3: STAKEHOLDER ENGAGEMENT

Having identified 36 Selected Stakeholders, we set out to engage with them based on constitutional obligations owed by Corporations to everyone in South Africa pursuant to the horizontal application of the rights in the Bill of Rights.⁷⁰⁸ As discussed elsewhere in this Initial Report, whereas in many countries in the world, rights are only enforceable vertically by private persons or entities against the state, the horizontal application of rights entails that some rights are enforceable and impose obligations as between private persons or entities within South Africa.⁷⁰⁹

Constitutional rights that have a direct bearing on advancing Corporate Accountability and animal welfare in the Egg Supply Chain include (among others) the environmental right enshrined in section 24,⁷¹⁰ and the right to access to information provided for in section 32.⁷¹¹ The environmental right has been found to protect animals as sentient beings with intrinsic value.⁷¹² The right to access to information provides that everyone has the right to access information. The right to access to information is enforceable against private bodies when the information requested is “required” for the protection of another right. In the case of information in private hands, access ought to be granted

⁷⁰⁸ Currie I and De Waal J (2013) *The Bill of Rights Handbook* 4th Ed Juta & Co, Landsdowne 2001 at 41.

⁷⁰⁹ Ibid.

⁷¹⁰ Section 24 of the Constitution provides that everyone has the right to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation [and] promote conservation.

⁷¹¹ Section 32 of the Constitution provides that everyone has the right to access to (a) any information held by the state; and (b) any information that is held by another person and that is required for the exercise or protection of any rights. This section further provides that national legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

⁷¹² *National Society for the Prevention of Cruelty to Animals v Minister of Justice and Constitutional Development and Another (CCT1/16) [2016] ZACC 46; 2017 (1) SACR 284 (CC); 2017 (4) BCLR 517 (CC) (8 December 2016)* (the “**NSPCA Case**” or “**2016 NSPCA Case**”).

where the requestor has evidenced a demonstrable and sufficient connection to the exercise or protection of any rights.⁷¹³

We invoked the right to access information to engage with the Selected Stakeholders on the basis that the information requested is required for the exercise and protection of the environmental right provided for in section 24 of the Constitution. We did so using PAIA, the legislation intended to give effect to the right to access to information. PAIA empowers those seeking access to information to complete requests for access to information and imposes obligations on those to whom requests are made.

With reference to Corporations' PAIA manuals (where available),⁷¹⁴ we drafted PAIA requests and dispatched these to the Selected Stakeholders. PAIA Requests were dispatched during the period from 16 November 2022 to 28 February 2023. Our PAIA Requests indicated that:

“ALRSA is undertaking a project entitled “Laying Down the Facts: Corporate Accountability” (the “Project”). To advance the Project we hereby request records from [Selected Stakeholder] 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”.

and

“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”.

PAIA imposes a legal duty on a person to whom a request is made to respond within 30 days of receipt of the request.⁷¹⁵ A person to whom a request was made may, however, extend the period referred to above once for a further period of not more than 30 days, if the request related to a large number of records requested and compliance with our request would unreasonably interfere with the activities of the person.⁷¹⁶ Many Selected Stakeholders invoked their entitlement to extend the period in which to respond to our PAIA Requests.

⁷¹³ *Qoboshiyane NO and Others v Avusa Publishing Eastern Cape (Pty) Ltd and Others* [2012] ZASCA 166; 2013 (3) SA 315 (SCA) (21 November 2012).

⁷¹⁴ Section 14 of PAIA obligates all bodies in South Africa, whether private or public bodies to compile a manual on functions of, and index of records held by the body. These manuals are pivotal in enabling the public to gain access to records held by entities for the protection and achievement of rights.

⁷¹⁵ Section 50 of PAIA provides that a (1) a requester must be given access to any records of a private body if (a) that record is required for the exercise or protection of any rights; (b) that person complies with the procedural requirements in this Act relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁷¹⁶ See sections 56 and 57(1) of PAIA.

Access to information requested can be refused on the basis of various grounds listed in PAIA. For purposes of this Stakeholder Component, reference will be made to the most common grounds of refusals referenced by Selected Stakeholders.

Access can be refused on the basis that the requested record cannot be found or does not exist.⁷¹⁷ In such instances, it was incumbent upon a Selected Stakeholder to provide an affidavit detailing the steps taken by it to locate the information, and to clarify precisely which information was not in its possession. This affidavit is a legal document confirming under oath that the Selected Stakeholder is not in possession of information requested. Various Selected Stakeholders were unaware of the requirement to produce an affidavit. After alerting Selected Stakeholders of this requirement, some granted access to information they had initially refused to provide.

Other listed grounds for refusal include the mandatory protection of commercial information of a third party⁷¹⁸ (such as a supplier to a retailer) and/ or mandatory protection of confidential information of such a third party.⁷¹⁹ PAIA also permits refusal of a request for access to requested records if its disclosure would constitute a breach of confidence towards a third party in terms of an agreement.⁷²⁰ It is also permissible for a private body to refuse access to the commercial information of the private body itself.⁷²¹

The courts have, however, confirmed that it is not sufficient to refuse access to records merely by quoting a provision in PAIA. In order to rely on a ground of refusal, it is necessary to properly justify the basis upon which disclosure of the requested information could legitimately be refused.⁷²² PAIA is to be interpreted strictly when it comes to refusal, as disclosure and transparency ought to be the default within the post-apartheid constitutional regime which calls for a culture of justification rather than a culture of secrecy. Moreover, the Supreme Court of Appeal (“SCA”) has confirmed that

*“Corporations operating within our borders, whether local or international, must be left in no doubt that in relation to the environment...there is no room for secrecy and that constitutional values will be enforced”.*⁷²³

Notwithstanding the legal position outlined, many Selected Stakeholders invoked grounds of refusal or were non-responsive.

This Stakeholder Component takes into account all information furnished to, and correspondence with, ALRSA up to and including 10 May 2023. The information enumerated below was requested so

⁷¹⁷ Section 55 of PAIA.

⁷¹⁸ See section 64 of PAIA.

⁷¹⁹ See section 65 of PAIA.

⁷²⁰ See section 65 of PAIA.

⁷²¹ See section 68 of PAIA.

⁷²² *Qoboshiyane NO and Others v Avusa Publishing Eastern Cape (Pty) Ltd and Others* (864/2011) [2012] ZASCA 166; 2013 (3) SA 315 (SCA) (21 November 2012).

⁷²³ *Company Secretary of Arcelormittal South Africa and Another v Vaal Environmental Justice Alliance* (69/2014) [2014] ZASCA 184; 2015 (1) SA 515 (SCA); [2015] 1 All SA 261 (SCA) (26 November 2014).

as to empower us to rate the Selected Stakeholders with reference to the Rating Criteria and Indicators. All information was requested for the period from 1 November 2018 to November 2022.

This Stakeholder Component only considers information provided or furnished directly to ALRSA as part of the PAIA process and subsequent correspondence (not information otherwise in the public domain). Information and documentation provided was not independently verified and no additional sources were consulted. Accordingly, the information that follows including the rating is informed by that which was supplied.

I. **Animal Welfare-centred Internal Policies**⁷²⁴

Any and all **Internal Policies** were requested to inform our understanding of Selected Stakeholders' attitudes in respect of animal welfare, specifically related to Layer Hens and Chicks.

Internal Policies were assessed to determine whether a Selected Stakeholder acknowledged obligations towards Layer Hens and Chicks under their control (or within their supply chain) as well as animal welfare concerns related to caged egg production systems. Secondly, Internal Policies were assessed to determine whether Selected Stakeholders prohibited and/or regulated Cruel Practices⁷²⁵ through Progressive Measures.⁷²⁶ Internal Policies were further analysed to gain an overall understanding of a Selected Stakeholder's interpretation in respect of their obligation towards animal welfare as part of the environmental right. Internal Policies were further helpful in identifying and requesting further records in respect of compliance with these Internal Policies by customers and/or third parties, such as suppliers.

II. **Annual reporting on animal welfare and asset and stock registers**

We requested Annual Reports⁷²⁷ from Selected Stakeholder to gain insight into the Selected Stakeholders' reporting on animal welfare issues (including Progressive Measures to address Cruel Practices and beyond) in their Annual Reports.

⁷²⁴ Any policy document of a Selected Stakeholder, including, but not limited to their responsible sourcing policy, sustainability policy, or environmental policy that specifically addresses or regulates animal welfare (whether in general or in relation to the Egg Supply Chain specifically). Internal Policies, however, exclude Annual Reports, Relevant Commitments and Other Commitments, as defined in this Initial Report.

⁷²⁵ Practices involved in the Egg Supply Chain that cause suffering and pain to layer-hens including, but not limited to the use of Battery Cages, beak trimming, de-toeing or toe clipping, and/or overstocking within cages and in relation to male Chicks - culling. Many of these practices have been banned or are being phased out elsewhere in the world due to their cruel nature.

⁷²⁶ Any measure that phasing out and taking other reasonable steps to enhance the welfare of Layer Hens and Chicks and address Cruel Practices (as defined in this Initial Report) so as to align with best practice elsewhere in the world.

⁷²⁷ The Annual Reports, Integrated Annual Reports, Sustainability Reports and/or Environmental Social and Governance ("ESG") Reports and similar records of a Selected Stakeholder for the period of 1 November 2018 to 30 November 2022, requested by ALRSA. These documents are distinct from Internal Policies (as defined in this Initial Report), and are generally tabled with and approved by the boards and shareholders of stakeholders. Annual Reports are often available in the public domain.

Selected Stakeholders’ assets and stocks registers relevant to their egg supply or production were requested to assess the number of eggs sold or produced by a Selected Stakeholder and suppliers of eggs.

III. Compliance with Relevant Legislation⁷²⁸

We requested any and all records evidencing compliance or a lack thereof with Relevant Legislation. We further requested any and all records evidencing inspections conducted by any Relevant Authority.⁷²⁹ This request was intended to provide insight into a Selected Stakeholder’s understanding of their legal obligations in terms of Relevant Legislation.

IV. Adverse Findings⁷³⁰

We requested any and all records evidencing Adverse Findings against Selected Stakeholders by any Relevant Authority. The purpose of this request was to assess whether there had been non-compliance with Relevant Legislation and enforcement measures taken against a Selected Stakeholder.

V. Relevant Commitments⁷³¹ and Supply Chain Details

We requested records evidencing that a Selected Stakeholder has signed on to an Animal Welfare Commitment⁷³² and, if so, the progress towards meeting such commitment. Requests were made for access to Environmental Commitments⁷³³ as well as records evidencing progress towards the fulfilment of such Environmental Commitments.

We requested information relating to egg production/cage and feed manufacturing/egg supply, as applicable to each category of Selected Stakeholder. In respect of major retailers, fast food outlets and restaurants, wholesalers, manufacturers, and hotels, we requested details of the Selected Stakeholders’ egg/egg-product suppliers. For egg producers, we requested information evidencing whether and to what extent the Selected Stakeholder produces eggs with the use of caged egg production systems. Records requested included those evidencing the number of chickens housed/processed per annum by producers/suppliers (as applicable);

⁷²⁸ Animal Legislation as defined in this Initial Report, Environmental Legislation as defined in this Initial Report, and any other legislation that may be relevant to the Egg Supply Chain.

⁷²⁹ The South African Police Service (“SAPS”), the National Council of Societies for the Prevention of Cruelty to Animals (“NSPCA”) and any Society for the Protection of Cruelty to Animals (“SPCA”), and any other relevant authority responsible for implementing or enforcing Relevant Legislation (as defined in this Initial Report) in respect of animal welfare.

⁷³⁰ Any judgments, decrees, rulings or other official statements containing findings against a Selected Stakeholder or their supplier or any other relevant third party in relation to non-compliance with or enforcement of Relevant Legislation or action against them by any Relevant Authority.

⁷³¹ One or more Animal Welfare Commitments and Environmental Commitments.

⁷³² A Cage-free or Better Chicken Commitment of a Selected Stakeholder respectively.

⁷³³ A commitment by a Selected Stakeholder related to environmental matters including sustainability, best practices relating to the use of the environment and its components (such as land, air, water, food, etc.) and environmental protection, including those that directly or indirectly provide for measures addressing animal welfare, specifically regarding Layer Hens and Chicks.

the number of eggs produced per annum; nutrition of chickens; the use of cages and type of cages used; the stocking density and the number of chickens and Chicks culled in the production process.

In respect of Selected Stakeholders categorised as cage, equipment and/or feed manufacturers, our PAIA Requests related to manufacturing details, including records relating to the number and type of cages or egg production systems manufactured and/or supplied to any stakeholder in the Egg Supply Chain and records relating to the type, quantity and quality of the feed manufactured per annum, including details of antibiotics and pesticides utilised in the manufacturing process, if applicable.

VI. Public Statements⁷³⁴

We requested records evidencing Public Statements made by Selected Stakeholders to assess whether Selected Stakeholders' engagement with the public aligned with their animal welfare practices, and willingness to engage openly with ALRSA. We also wished to establish whether Selected Stakeholders are engaging in Greenwashing⁷³⁵ and/or Humane-washing.⁷³⁶

VII. Memberships of Industry Associations⁷³⁷

We requested records evidencing membership of Selected Stakeholders to Industry Associations, on the basis that Industry Associations offer some degree of guidance, training and leadership to role-players in the Egg Supply Chain (including in relation to animal welfare). Industry Associations further impose codes of practice, internal standards and other

⁷³⁴ A statement made by a Selected Stakeholder available in the public domain and provided to ALRSA in response to a request for access to information in which it discloses its sourcing practices in respect of the Egg Supply Chain (as a distributor or user thereof) and/or its production system in respect of eggs (as applicable). It does not include statements not provided to ALRSA.

⁷³⁵ Greenwashing involves claims that companies make regarding steps they are taking to be more environmentally conscious or characterizations of their products and the impacts they may have. This misleading measure adopted by corporations in respect of their environmental efforts is generally perceived to be an easy alternative to costly and time-consuming efforts such as revamping their business practices. Retrieved from Abate R.S (2022) "Fool Me Once, Shame on You": Promoting Corporate Accountability for the Human Rights Impacts of Climate Washing *Global Agency for Human Rights: A Corporate Duty? Intercultural Human Rights Law Review Symposium* October 21, 2022 at 8.

⁷³⁶ Humane-washing is the practice of overstating higher-welfare farming practices, especially in labelling animal product food. This misleading practice is made to deceive consumers who want more humanely handled meat, eggs, and dairy products and are willing to pay more for such products. Retrieved from Abate R.S (2022) "Fool Me Once, Shame on You": Promoting Corporate Accountability for the Human Rights Impacts of Climate Washing *Global Agency for Human Rights: A Corporate Duty? Intercultural Human Rights Law Review Symposium* October 21, 2022 at 13.

⁷³⁷ Any relevant association regulating any aspect of the Egg Supply Chain that supports and protects the rights of companies and employers and requires adherence to relevant welfare standards of the South African Bureau of Standards ("SABS") and/or other voluntary compliance measures, including, but not limited to, the South African Poultry Association ("SAPA") (both the SAPA Egg Organization Association and SAPA Broiler Organization Association), the Livestock Welfare Coordinating Committee ("LWCC"), the Sustainable Retailer Forum, the Animal Feed Manufacturer Association or any other poultry, egg or chicken organisation or association that may be relevant to animal welfare.

requirements on members, including certification requirements. Furthermore, Industry Associations often represent stakeholders in the Egg Supply Chain.

VIII. Certifications

We requested any and all records illustrating SABS/AGW Certification⁷³⁸ or Other Certification. 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 is the process of 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.⁷³⁹ We further requested any Other Certification beyond the SABS/AGW, in order to allow Selected Stakeholders to provide information regarding animal welfare efforts we might not be aware of. Records evidencing such certification could provide insight in respect of Selected Stakeholders’ efforts related to improved animal welfare, specifically regarding their sourcing and/ or production of eggs and/or egg by-products.

Having dispatched PAIA Requests to Selected Stakeholders in respect of the above information, during the period from 16 November 2022 to 28 February 2023, we corresponded with them to follow up on our requests, deal with their concerns or queries, and clarify legal obligations giving rise to our requests. The process involved research in relation to PAIA and the environmental right as it pertains to animal welfare.

STEPS 4 AND 5: DEVELOPMENT AND APPLICATION OF RATING CRITERIA AND INDICATORS

In order to analyse and rate Selected Stakeholders on their efforts related to animal welfare, transparency, and accountability, alongside our stakeholder engagement, ALRSA developed 10 Rating Criteria, each with one or more Indicators against which to evaluate Selected Stakeholders, as set out below.





Based on the information we received from each Selected Stakeholder, and their correspondence with us, we then assigned a colour-rating to each Selected Stakeholder, namely, green, orange, red, and/or grey, as explained in more detail below. In essence, green was awarded to illustrate compliance on the

⁷³⁸ Certifications, notices, letters and correspondence or other relevant documentation issued by the South African Bureau of Standards (“SABS”) or A Greener World (“AGW”) to a third party indicating compliance with relevant requirements of the SABS, SANS or AGW in respect of animal welfare.

⁷³⁹ More information available at https://www.sabs.co.za/Certification/certification_markscheme.asp.

part of a Selected Stakeholder, orange illustrates partial compliance, red illustrates non-compliance or a refusal,⁷⁴⁰ and grey indicates Non-responsiveness.⁷⁴¹

As set out in the table below, a colour-rating for each Criteria was based on the Selected Stakeholder being rated a particular colour for 50% or more of the Indicators relative to the relevant Criteria (e.g., a Selected Stakeholder would be rated green for Criteria 1, if they achieved a green rating for three or more of the six Indicators for Criteria 1, etc.).

COLOUR KEY	THRESHOLD FOR COLOUR-RATING
	Green ratings were awarded for 50% or more of the underlying Indicators in respect of a Criteria.
	Orange ratings were awarded for 50% or more of the underlying Indicators in respect of a Criteria.
	Red ratings were awarded for 50% or more of the underlying Indicators in respect of a Criteria.
	Grey ratings were awarded for 50% or more of the underlying Indicators in respect of a Criteria.

Similarly, an “overall” colour rating for all Criteria was awarded to each Selected Stakeholder based on their colour-rating across all 10 Criteria.

CRITERIA 1 focused on whether a Selected Stakeholder presented evidence of animal welfare-centred Internal Policies and views during our stakeholder engagement. The Internal Policies of, and correspondence with, each Selected Stakeholder (if any) were carefully reviewed before applying a colour-rating. To rate Selected Stakeholders against this Criteria, we considered the following Indicators, and awarded a colour-rating as tabulated.

⁷⁴⁰ A situation where a Selected Stakeholder refused to provide access to information requested by ALRSA by invoking one or more of the grounds of refusal listed in ss 62 to 70 of PAIA, as opposed to a situation contemplated by s 58 of PAIA, where the Selected Stakeholder is deemed to have refused access by virtue of their failure to give a decision on a request for access within the prescribed period (i.e. 30 days or an extended period). In this Initial Report, the latter situation is referred to as ‘Non-responsiveness’, whereas the former situation is referred to as a Refusal. In terms of PAIA, a refusal would include both situations.

⁷⁴¹ A situation contemplated by s 58 of PAIA, where the Selected Stakeholder is deemed to have refused access by virtue of their failure to give a decision on a request for access within the prescribed period (i.e. 30 days or an extended period) whether having acknowledged receipt of a request for access to information or not.

INDICATOR	COLOUR-RATING
<p>1.1: The Selected Stakeholder provided access to animal welfare-relevant Internal Policies.</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder granted access to one or more animal welfare-relevant Internal Policies that made provision for responsible egg sourcing and addressed welfare concerns of layer hens and chicks. <input type="radio"/> The Selected Stakeholder granted access to one or more animal welfare-relevant Internal Policies; however no mention was made of responsible egg sourcing, or welfare conditions of layer hens and chicks. <input type="radio"/> The Selected Stakeholder explicitly refused access or confirmed (whether explicitly or implicitly) that no such Internal Policies exist. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
<p>1.2: The Selected Stakeholder's Internal Policies contain Progressive Measures to address Cruel Practices.</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> All Cruel Practices are expressly prohibited by relevant policy documents. <input type="radio"/> Cruel Practices are permitted, but relevant policy documents provide for Progressive Measures to address all Cruel Practices, for instance through phasing out processes. <input type="radio"/> One or more Cruel Practices are neither prohibited nor regulated in any way in Internal Policies (if any, as indicated by Indicator 1.1)/ The Selected Stakeholder explicitly refused access or confirmed (whether explicitly or implicitly) that no such Internal Policies exist. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
<p>1.3: The Selected Stakeholder acknowledged in Internal Policies, correspondence, statements, etc. that environmental protection and animal welfare are intertwined values.</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder acknowledges that animal welfare is essential to the enhancement of the environmental right. <input type="radio"/> The Selected Stakeholder's Internal Policies, correspondence and/or statements make mention of the importance of animal welfare, however, do not take a stance in respect of animal welfare being protected by the environmental right. <input type="radio"/> The Selected Stakeholder expressed the view (by denying or explicitly rejecting ALRSA's arguments) that the environmental right does not protect animal welfare considerations in respect of layer hens and/or chicks in the egg industry/ explicitly refused access or confirmed (whether explicitly or implicitly) that no such Internal Policies exist. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
<p>1.4: The Selected Stakeholder's Internal Policies, specifically regulate the sourcing of</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder's Internal Policies expressly include egg supply and phasing out of the use of battery cages.

INDICATOR	COLOUR-RATING
eggs and the phasing out of battery cages.	<ul style="list-style-type: none"> ● The Selected Stakeholder's Internal Policies either contain limited information on sourcing of eggs from battery cages and/or limited reference to Progressive Measures. ● Internal Policies do not seek to regulate eggs and/or phasing out of battery cages, or the Selected Stakeholder refused to provide access to such Internal Policies. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
<p>1.5: The Selected Stakeholder's Internal Policies specifically regulate animal welfare in general (whether in addition to or to the exclusion of addressing welfare for chickens or egg supply).</p>	<ul style="list-style-type: none"> ● The Selected Stakeholder's Internal Policies explicitly seek to advance animal welfare, in general, and include meaningful measures to achieve animal welfare. ● The Selected Stakeholder's Internal Policies implicitly or explicitly seek to advance animal welfare in general, however lack meaningful measures to achieve animal welfare, in general. ● The Selected Stakeholder either refused to provide access to any Internal Policies or confirmed that no Internal Policies exist, or its Internal Policies do not reference animal welfare in general or at all. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
<p>1.6: The Selected Stakeholder provided evidence of monitoring compliance with Internal Policies.</p>	<ul style="list-style-type: none"> ● The Selected Stakeholder produced comprehensive records evidencing internal and third-party compliance with Internal Policies, demonstrating meaningful compliance monitoring. ● The Selected Stakeholder produced limited records evidencing internal and third-party compliance with Internal Policies, demonstrating some degree of compliance monitoring. ● The Selected Stakeholder was unable or explicitly refused to produce records evidencing internal and third party (non)compliance with Internal Policies, demonstrating a failure to meaningfully monitor and address (non)compliance / confirmed that no Internal Policies exist <input type="checkbox"/> The Selected Stakeholder was Non-responsive.

CRITERIA 2 focused on whether a Selected Stakeholder provided access to Annual Reports that report on relevant animal welfare measures and access to their asset register and stock relative to the egg supply chain. The Annual Reports and asset and stock registers (if any) provided by Selected Stakeholders were carefully assessed to determine a colour-rating for Criteria 2. To rate Selected Stakeholders against this Criteria, we considered the following Indicators, and awarded a colour-rating as tabulated.

INDICATOR	COLOUR-RATING
<p>2.1: The Selected Stakeholder provided access to Annual Reports.</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder provided access to Annual Reports. <input type="radio"/> The Selected Stakeholder provided some Annual Reports, however not for the full period of 2018 to 2022. <input type="radio"/> The Selected Stakeholder was unable or refused to provide access to any Annual Reports for the period of 2018 to 2022. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
<p>2.2: The Selected Stakeholder's Annual Reports contain reporting on Progressive Measures to address layer hen and chick welfare and Cruel Practices.</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> All Cruel Practices are explicitly prohibited and reported on in the Selected Stakeholder's Annual Reports. <input type="radio"/> Cruel Practices not explicitly prohibited, but Annual Reports report on progressive measures to address all Cruel Practices. <input type="radio"/> One or more Cruel Practices are neither explicitly prohibited nor reported on in Annual Reports in any way, raising accountability concerns relating to animal welfare/The Selected Stakeholder refused to provide access to any Annual Reports for the period of 2018 to 2022. <input type="checkbox"/> Selected Stakeholder was Non-responsive.
<p>2.3: The Selected Stakeholder provided access to records evidencing annual reporting on animal welfare more generally (for instance, concerning animal welfare beyond Cruel Practices).</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder's Annual Reports reference and/or report on animal welfare in general, including comprehensive layer hen and chick welfare reporting beyond Cruel Practices. <input type="radio"/> The Selected Stakeholder's Annual Reports reference and/or report on animal welfare, however this reporting is limited in respect of layer hens and chicks (i.e., does not go beyond Cruel Practices). <input type="radio"/> The Selected Stakeholder does not explicitly report on animal welfare generally or refused access to relevant reports or confirmed (implicitly or explicitly) that no such reports exist. <input type="checkbox"/> Selected Stakeholder was Non-responsive.
<p>2.4: The Selected Stakeholder's Annual Reports illustrated that accountability measures are in place aimed at compliance with and enforcement of their Internal Policies in</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder reported comprehensively on one or more measures aimed at ensuring compliance with and enforcement of their Internal Policies concerning animal welfare, for instance reporting on evidence of auditing, and inspections in respect of suppliers. <input type="radio"/> The Selected Stakeholder reported on one or more measures aimed at ensuring compliance with and enforcement of their Internal Policies concerning animal welfare, but such reporting was not comprehensive in that the Annual

INDICATOR	COLOUR-RATING
relation to suppliers and/or customers concerning animal welfare.	<p>Report(s) contained no evidence of auditing and inspections in respect of suppliers.</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder did not report on any measures aimed at ensuring compliance with and enforcement of their Internal Policies in relation to suppliers and/or customers/ refused access to relevant information or confirmed (implicitly or explicitly) that no such information exist. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
2.5: The Selected Stakeholder provided access to their asset register and stock relating to its sourcing of eggs [or egg production in respect of suppliers]. This includes the records of sales of both caged and/or free-range egg and/or egg by-products.	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder provided a comprehensive asset register and stock list related to egg sourcing or egg production, including records of sales of both cages and/or free-range products. <input checked="" type="radio"/> The Selected Stakeholder provided an asset register and stock list, however information related to records of sales of both cages and/or free-range products, including information related to suppliers and records of sales were omitted or redacted. <input checked="" type="radio"/> The Selected Stakeholder was unable or refused to provide information in terms of request. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.

CRITERIA 3 focused on whether a Selected Stakeholder presented evidence of (non) compliance in respect of Relevant Legislation and any record recording details of inspections by a Relevant Authority. The evidence of (non) compliance in respect of Relevant Legislation, and records detailing inspections by a Relevant Authority of each Selected Stakeholder (if any) were carefully reviewed before applying a colour-rating. To rate Selected Stakeholders against this Criteria, we considered the following Indicators, and awarded a colour-rating as tabulated.

INDICATOR	COLOUR-RATING
3.1: The Selected Stakeholder provided access to any record of (non)compliance with Relevant Legislation, including criminal charges, citations, breaches and warnings by the NSPCA.	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder acknowledged their obligations under all Relevant Legislation, and further provided records demonstrating compliance and/or provided confirmation that the Selected Stakeholder has not been the subject of complaints or reported irregularities. <input checked="" type="radio"/> The Selected Stakeholder acknowledged their obligations under, and demonstrated compliance with, some Relevant Legislation, and denied applicability of other Relevant Legislation and/or provided confirmation that the Selected Stakeholder has been the subject of complaints or reported irregularities

INDICATOR	COLOUR-RATING
	<p>but has addressed those complaints or irregularities.</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder denied applicability of any Relevant Legislation and/or was unable or refused to provide records demonstrating compliance in respect therewith and/or has been the subject of complaints or reported for irregularities and has failed to address the complaints or irregularities. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
<p>3.2: The Selected Stakeholder provided any record recording details of inspections by a Relevant Authority.</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder acknowledged their obligations in respect of adherence to inspections by Relevant Authorities, and further provided records confirming compliance with Relevant Legislation following any inspections. <input checked="" type="radio"/> The Selected Stakeholder only acknowledged their obligation to submit to certain inspections by Relevant Authorities and denied applicability of others. The Selected Stakeholder provided records confirming compliance with those inspections they deemed to be applicable to them. <input checked="" type="radio"/> The Selected Stakeholder denied applicability of any of the requested records related to inspections by Relevant Authorities or was unable or refused to provide any records related thereto. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.

CRITERIA 4 focused on whether a Selected Stakeholder presented evidence of Adverse Findings. The evidence of Adverse Findings provided by a Selected Stakeholder (if any) were carefully reviewed before applying a colour-rating. To rate Selected Stakeholders against this Criteria, we considered the following Indicators, and awarded a colour-rating as tabulated.

INDICATOR	COLOUR-RATING
<p>4.1: The Selected Stakeholder provided records of any Adverse Findings.</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder confirmed that no Adverse Findings have been made. <input checked="" type="radio"/> The Selected Stakeholder provided records of Adverse Findings, and confirmed they are taking necessary steps in response . <input checked="" type="radio"/> The Selected Stakeholder adopted an obstructive approach and/or refused to grant access to information in terms of this request / the Selected Stakeholder's claim that no Adverse Findings have been made is false based on information in the public domain.

INDICATOR	COLOUR-RATING
	<input type="checkbox"/> The Selected Stakeholder was Non-responsive.

CRITERIA 5 focused on whether a Selected Stakeholder has signed on to Relevant Commitments and the provision of evidence of the implementation thereof. The evidence of Relevant Commitments and progress in respect thereof provided by a Selected Stakeholder (if any) were carefully reviewed before applying a colour-rating. To rate Selected Stakeholders against this Criteria, we considered the following Indicators, and awarded a colour-rating as tabulated.

INDICATOR	COLOUR-RATING
5.1: The Selected Stakeholder provided evidence that they have signed on to an Animal Welfare Commitment.	<ul style="list-style-type: none"> ● The Selected Stakeholder confirmed that they have signed on to an Animal Welfare Commitment. ● The Selected Stakeholder did not provide records confirming that they have signed on to Animal Welfare Commitments, however otherwise committed to sourcing cage-free eggs. ● The Selected Stakeholder confirmed that it has not signed on to any Animal Welfare Commitments / refused or was unable to grant access to such records. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
5.2: The Selected Stakeholder provided evidence as to whether its suppliers use battery cages and/or caged egg production systems [as suppliers].	<ul style="list-style-type: none"> ● The Selected Stakeholder provided evidence to the effect that it sources eggs from cage-free suppliers or produces eggs in a cage-free production system. ● The Selected Stakeholder provided evidence that it sources eggs from battery cages and/or uses caged egg production systems, however Progressive Measures are in place. ● The Selected Stakeholder sources eggs from battery cages and/or uses caged egg production systems. The Selected Stakeholder was unable or refused to provide information related to this request. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
5.3: The Selected Stakeholder provided evidence of the progress towards meeting an Animal Welfare Commitment.	<ul style="list-style-type: none"> ● The Selected Stakeholder provided evidence of a reporting system to measure progress in the attainment of meeting an Animal Welfare Commitment. ● No evidence of progress was provided by the Selected Stakeholder, however the Selected Stakeholder provided evidence of having signed on to an Animal Welfare Commitment.

INDICATOR	COLOUR-RATING
	<p><input checked="" type="radio"/> The Selected Stakeholder confirmed that they have not made any Animal Welfare Commitments, and/or refused to provide evidence of any Animal Welfare Commitment nor evidence of reporting on progress towards any Animal Welfare Commitment.</p> <p><input type="checkbox"/> The Selected Stakeholder was Non-responsive.</p>
<p>5.4: The Selected Stakeholder provided evidence confirming the Selected Stakeholder has signed on to any Environmental Commitments.</p>	<p><input checked="" type="radio"/> The Selected Stakeholder is a party to Environmental Commitments and submitted evidence of progress in respect of fulfilment of this commitment.</p> <p><input checked="" type="radio"/> The Selected Stakeholder provided evidence confirming Environmental Commitments, however, was unable or refused to provide progress in respect of said commitments.</p> <p><input checked="" type="radio"/> The Selected Stakeholder refused or was unable to provide evidence of having signed on to any Environmental Commitment.</p> <p><input type="checkbox"/> The Selected Stakeholder was Non-responsive.</p>
<p>5.5: The Selected Stakeholder expressed the view that Relevant Commitments are Progressive Measures aimed at eliminating Cruel Practices.</p>	<p><input checked="" type="radio"/> The Selected Stakeholder provided evidence that Animal Welfare Commitments are Progressive Measures aimed at eliminating Cruel Practices and evidenced that it is taking active steps to fulfil Animal Welfare Commitments.</p> <p><input checked="" type="radio"/> The Selected Stakeholder provided evidence that Animal Welfare Commitments are Progressive Measures aimed at eliminating Cruel Practices, however provided no evidence that it is taking active steps to fulfil Animal Welfare Commitments.</p> <p><input checked="" type="radio"/> The Selected Stakeholder is resistant to the use of cage-free/free-range and cited economic, sourcing or other reasons therefor/provided evidence that it has not made Animal Welfare Commitments/provided evidence that it is not taking active steps to fulfil Animal Welfare Commitments/refused or was unable to provide evidence that it has made or is fulfilling Animal Welfare Commitments.</p> <p><input type="checkbox"/> The Selected Stakeholder was Non-responsive.</p>

CRITERIA 6 focused on whether a Selected Stakeholder provided accurate and Comprehensive Public Statements.⁷⁴² Evidence of Public Statements provided by a Selected Stakeholder (if any) were carefully

⁷⁴² “Comprehensive” means a Public Statement that addresses Progressive Measures and Cruel Practices of the Selected Stakeholder in detail, with full disclosure and the utmost transparency, for instance, not only disclosing Progressive Measures aimed at eliminating Cruel Practices, but also the extent to which the Selected Stakeholder remains complicit or a participant in Cruel Practices.

reviewed before applying a colour-rating. To rate Selected Stakeholders against this Criteria, we considered the following Indicators, and awarded a colour-rating as tabulated.

INDICATOR	COLOUR-RATING
6.1: The Selected Stakeholder provided access to Public Statement(s).	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder has provided evidence confirming that it has made Public Statement(s). <input type="radio"/> The Selected Stakeholder provided Public Statement(s); however this is only limited to free range/cage free sourcing and/or production and not a full accounting of all sourcing and/or production. <input type="radio"/> The Selected Stakeholder has confirmed it has made no Public Statement(s)/ refused to grant access to such record. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
6.2: Public Statements are Comprehensive.	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholder has made Public Statement(s) that is/are Comprehensive. <input type="radio"/> The Selected Stakeholder's Public Statement(s) is/are not Comprehensive. <input type="radio"/> The Selected Stakeholder has made no Public Statements/ refused to grant access to such record. <input type="checkbox"/> Selected Stakeholder was Non-responsive.
6.3: The Selected Stakeholders' Public Statement(s) could be construed as Greenwashing, Humane-washing, or otherwise misleading to the public.	<ul style="list-style-type: none"> <input checked="" type="radio"/> The Selected Stakeholders Public Statement(s) appear to be accurate. <input type="radio"/> The Selected Stakeholder's Public Statements were not or could not be substantiated. <input type="radio"/> The Selected Stakeholders' Public Statements made by the Selected Stakeholder could be construed (whether partially or wholly) as Greenwashing, Humane-washing, and/or otherwise misleading /the Selected Stakeholder confirmed that it has not made any Public Statements/the Selected Stakeholder refused or was unable to provide access to any Public Statements. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.

CRITERIA 7 focused on whether a Selected Stakeholder presented evidence of membership and compliance with an Industry Association. The records confirming membership and compliance with an Industry Association provided by a Selected Stakeholder (if any) were carefully reviewed before applying a colour-rating. To rate Selected Stakeholders against this Criteria, we considered the following Indicators, and awarded a colour-rating as tabulated.

INDICATOR	COLOUR-RATING
<p>7.1: The Selected Stakeholder provided access to records confirming membership of Industry Association(s), if applicable.</p>	<ul style="list-style-type: none"> ● The Selected Stakeholder has provided evidence confirming that it has made Public Statement(s). ● The Selected Stakeholder provided Public Statement(s); however this is only limited to free range/cage free sourcing and/or production and not a full accounting of all sourcing and/or production. ● The Selected Stakeholder has confirmed it has made no Public Statement(s)/ refused to grant access to such record. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.
<p>7.2: The Selected Stakeholder provided records confirming compliance with animal welfare requirements of membership to Industry Association(s), if applicable.</p>	<ul style="list-style-type: none"> ● The Selected Stakeholder has made Public Statement(s) that is/are Comprehensive. ● The Selected Stakeholder's Public Statement(s) is/are not Comprehensive. ● The Selected Stakeholder has made no Public Statements/ refused to grant access to such record. <input type="checkbox"/> Selected Stakeholder was Non-responsive.

CRITERIA 8 focused on whether a Selected Stakeholder presented evidence of SABS/AGW Certification or Other Certification.⁷⁴³ The provision of SABS/AGW Certification and/or Other Certification provided by a Selected Stakeholder (if any) were carefully reviewed before applying a colour-rating. To rate Selected Stakeholders against this Criteria, we considered the following Indicators, and awarded a colour-rating as tabulated.

INDICATOR	COLOUR-RATING
<p>8.1: The Selected Stakeholder provided access to records illustrating SABS/AGW Certification.</p>	<ul style="list-style-type: none"> ● The Selected Stakeholder has received SABS/AGW Certification. ● The Selected Stakeholder confirmed that it has not received an SABS/AGW Certification, however provided records confirming that it is undertaking a certification process. ● The Selected Stakeholder has confirmed that it does not have nor is it pursuing an SABS/AGW Certification / the Selected Stakeholder was unable or refused to provide evidence of an SABS/AGW Certification.

⁷⁴³ Certifications, notices, letters and correspondence or other relevant documentation issued by any relevant third parties (other than SABS and/or AGW) such as the United Nations or a similar body in respect of animal welfare.

INDICATOR	COLOUR-RATING
	<input type="checkbox"/> The Selected Stakeholder was Non-responsive.
8.2: The Selected Stakeholder provided access to records illustrating Other Certification.	<input checked="" type="radio"/> The Selected Stakeholder has made Public Statement(s) that is/are Comprehensive. <input checked="" type="radio"/> The Selected Stakeholder's Public Statement(s) is/are not Comprehensive. <input checked="" type="radio"/> The Selected Stakeholder has made no Public Statements/ refused to grant access to such record. <input type="checkbox"/> Selected Stakeholder was Non-responsive.

CRITERIA 9 focused on Selected Stakeholders' efforts in relation to transparency. For instance, we searched each Selected Stakeholder's website to determine whether it contained readily available and easily accessible relative to this Initial Report, including a complete and up to date PAIA Manual. Based on our experience of the Selected Stakeholder during the stakeholder engagement process, we assessed whether the officials with whom we engaged demonstrated an understanding of, and willingness and ability to comply with PAIA and the right to access to information protected by section 32 of the Constitution. To rate Selected Stakeholders against this Criteria, we considered the following Indicators, and awarded a colour as tabulated.

INDICATOR	COLOUR-RATING
9.1: The Selected Stakeholders' website contained a readily available and easily accessible PAIA Manual.	<input checked="" type="radio"/> The Selected Stakeholders' website contained a readily available and easily accessible PAIA Manual. <input checked="" type="radio"/> While not having a PAIA manual available on their website, the Selected Stakeholder's PAIA Manual is obtainable upon request. <input checked="" type="radio"/> The Selected Stakeholder has no PAIA Manual readily available or easily accessible as per statutory requirements / failed or was unable to provide a PAIA Manual on request.
9.2: The Selected Stakeholder's PAIA Manual designates an Information Officer. ⁷⁴⁴	<input checked="" type="radio"/> The Selected Stakeholders' PAIA Manual designates an Information Officer. <input checked="" type="radio"/> The Selected Stakeholder designated an Information Officer, however their contact information is not readily available, outdated and/or required further

⁷⁴⁴ The person designated as an Information Officer in terms of the PAIA Manual of a Selected Stakeholder, often 'the head of a private body' as defined in s 1 of PAIA, and the person responsible for compiling and ensuring compliance with a private body's PAIA Manual.

INDICATOR	COLOUR-RATING
	<p>investigation.</p> <ul style="list-style-type: none"> ● No records indicating that the Selected Stakeholder has designated an Information Officer could be found / were made available.
<p>9.3: The Selected Stakeholders' PAIA Manual explicitly mentions animal welfare as a relevant subject or category of information/records and lists Animal Legislation.⁷⁴⁵</p>	<ul style="list-style-type: none"> ● The Selected Stakeholders' PAIA Manual explicitly mentions animal welfare and lists a majority of the Animal Legislation. ● The Selected Stakeholders' PAIA Manual contains limited reference to animal welfare and/or Animal Legislation. ● No reference is made to animal welfare nor Animal Legislation in the Selected Stakeholder's PAIA Manual.
<p>9.4: The Selected Stakeholder demonstrated an understanding of, and willingness and ability to comply with ALRSA's request for access to records.</p>	<ul style="list-style-type: none"> ● The Selected Stakeholder was compliant and provided a detailed and compliant response to ALRSA's request for access to records. ● The Selected Stakeholder provided a partially compliant response to ALRSA's request, and/or required further engagement in order to receive information. ● The Selected Stakeholder objected to ALRSA's request and/or took a defensive/ obstructive approach in dealing with ALRSA's request and/or failed to respond despite several follow ups.

CRITERIA 10 was aimed at examining whether a Selected Stakeholder engaged with ALRSA in a cooperative manner during our stakeholder engagement. Whilst some Selected Stakeholders were willing to engage and supportive of enhancing animal welfare, transparency, and accountability in the Egg Supply Chain, we experienced others to be obstructive and tardy in their engagements with us. To rate Selected Stakeholders against this Criteria, we considered the following Indicator, and awarded a colour-rating as tabulated.




⁷⁴⁵ Any judgments, decrees, rulings or other official statements containing findings against a Selected Stakeholder or their supplier or any other relevant third party in relation to non-compliance with or enforcement of Relevant Legislation or action against them by any Relevant Authority.

INDICATOR	COLOUR-RATING
<p>10.1: The Selected Stakeholder was cooperative and transparent throughout ALRSA's engagements.</p>	<ul style="list-style-type: none"> ● The Selected Stakeholder responded promptly, sought clarity where required, engaged telephonically, via email, or online meetings and generally demonstrated a cooperative stance, openness, and a willingness to engage. ● The Selected Stakeholder indicated a willingness to engage and was partially transparent and cooperative in that it demonstrated some willingness to engage constructively with ALRSA (often only after following ups or further justification was provided), and/or explicitly and coherently invoked grounds of refusal in terms of PAIA as a basis to refuse to disclose information in respect of specific requests, such as information related to suppliers. ● The Selected Stakeholder took an obstructive and uncooperative approach in respect of ALRSA's request in that it refused to engage constructively, and/or invoked grounds of refusal in terms of PAIA without providing an adequate or coherent justification. <input type="checkbox"/> The Selected Stakeholder was Non-responsive.

PART C: RATING

Having evaluated the information relative to the Selected Stakeholders obtained through the Project against the Criteria and Indicators, the Selected Stakeholders' overall colour-rating was as follows:

SELECTED STAKEHOLDERS	OVERALL RATING
Major retailers	
(1) Pick n Pay, (2) Shoprite, (3) Spar	●
(4) Woolworths, (5) MassMart	□
Fast food outlets and restaurants	
(13) Kauai, (16) Subway	□
(6) Spur, (7) Rocomamas, (8) Mugg n Bean, (9) Wimpy, (10) Steers, (11) Nandos, (12) Papachinos, (14) KFC, (15) McDonalds, (17) Bidvest	●
Wholesalers	
(18) Tiger Brands, (19) Bakers, (22) Rhodes Food Group,	●
(20) Unilever, (21) Pioneer Food Group	□
(23) Bidcorp* *As amended in this Version 2 of this Initial Report.	●
Hotels	
(24) Sun International, (26) Southern SSun	●

SELECTED STAKEHOLDERS	OVERALL RATING
(25) City Lodge	
(27) Hotel Verde, (28) Marriott Hotels	<input type="checkbox"/>
(29) Hilton Hotels	
Egg producers and equipment (cage and feed) manufacturers	
(30) Eggbert, (32) TopLay, (35) RCL Foods	<input type="checkbox"/>
(31) Quantum Foods, (33) Big Dutchman, (34) AFGRI, (36) Meadow Feeds	

The overall colour-rating was based on the more detailed evaluation set out in the tables below. The overall colour-ratings and our experiences during stakeholder engagement revealed “Good Eggs” and “Bad Eggs”.

√ “GOOD EGGS”

KAUAI AND CITY LODGE

During our stakeholder engagement and rating, only two of the 36 Selected Stakeholders stood out as demonstrating a reasonable commitment to animal welfare and Progressive Measures given Cruel Practices.

Kauai evidenced that it sources free range egg products, providing proof of their suppliers’ free-range certification, which includes explicit reference to free-range egg sourcing, the rationale therefore, as well as potential health benefits related to free range eggs as opposed to cage produced eggs. Although Non-Responsive in some respects, and despite being awarded a grey rating overall, Kauai’s transparency about sourcing free-range eggs, and general openness in their communications with us, renders them a “Good Egg”.

City Lodge was colour-rated green overall, due to their attitude to animal welfare, transparency and corporate accountability. Our engagements with City Lodge are exemplified by their statement:

“There has been much discussion around the subject of Layer Hens and the environment in which they are kept, specifically in respect of whether the Layer Hens are kept in cages. Eggs that are not cage-free are often cheaper and

are more easily sourced, but the conditions in which the hens are kept are unacceptable to City Lodge Hotel Group and to support the suppliers of non-cage-free eggs goes directly against the values of the group. Our guests demand food that is safe, healthy, and grown sustainably. We acknowledge public concern and the wishes of our guests and are determined to ensure that our product supply chain is ethical and transparent...In January 2020, the group publicly committed to only serving 100% cage-free eggs throughout its operations by 2025. We partnered with Humane Society International-Africa (HSI-Africa) on its journey towards offering eggs and egg products sourced in this way. City Lodge currently serves approximately 1.4 million eggs annually of which 55% are cage-free”.

Thus, City Lodge is deemed a “Good Egg”.

X “BAD EGGS”:

SPUR, ROCOMAMAS, NANDOS, PAPACHINOS, TIGER BRANDS, BAKERS, BID CORP, AFGRI, BIG DUTCHMAN, AND MEADOW FEEDS

Whilst 20 out of 36 Selected Stakeholders were awarded a red colour-rating overall, some stood out as particularly problematic in relation to their commitments to animal welfare, transparency and/or corporate accountability. These were deemed “Bad Eggs”. The explanations below are not exhaustive, but rather illustrative of the problematic approach of Selected Stakeholders towards the Project.

Spur, Rocomamas and Nandos threatened legal action against ALRSA should we mention them in our Initial Report and claimed that we needed their consent to report on their commitments to animal welfare, transparency and corporate accountability. They not only denied that ALRSA was entitled to request access to information, but also sought to impinge upon ALRSA’s right to freedom of expression in the public interest.

Papachinos adopted an obstructive stance in respect of our PAIA request, while further denying any involvement in the Egg Supply Chain. This is despite their menus containing numerous egg products and eggs served to their customers on a daily basis. ALRSA sent follow up emails to Papachinos, who objected to providing access and subsequently ceased responding to ALRSA's correspondence. The representative who claimed to be their Information Officer denied that there was any basis upon which ALRSA was entitled to engage with Papachinos in relation to animal welfare, transparency and corporate accountability.

Tiger Brands and Bakers were forthcoming regarding their sourcing of egg-related products but denied any involvement in the Egg Supply Chain. Tiger Brands claimed that it does not source whole eggs and only sources powdered eggs, often with other ingredients, while National Brands Limited in respect of Bakers reasoned that they merely “purchase egg pulp and spray-dried egg albumen powder”. ALRSA finds it concerning that role-players in the Egg Supply Chain who purchase such egg products do not view themselves as having a role to play in advancing animal welfare issues, given that millions of chickens and Chicks are involved in the production of such egg products.

Bidcorp was the only Selected Stakeholder that requested a request fee in terms of PAIA (in the amount of ZAR140). ALRSA paid this fee despite requesting an exemption from this required fee as it is a non-profit organisation.*

***Information related to Bidcorp which was included in Version 1 of the Initial Report has been removed from this paragraph. See the Revision Note on pages 281-283 below for further details.**

AFGRI and Big Dutchman denied involvement in the Egg Supply Chain despite being the manufacturers and distributors of cages and feed. Big Dutchman made this denial despite conceding:

“that the majority (approx. 90-95%) of our customers produce Pullets and eggs in our cages, with free range and barn eggs making up the balance, i.e. birds on the floor with feeding, drinking and nest boxes”.

Meadow Feeds: Meadow Feeds refused to provide access to the records requested in our PAIA request and denied any involvement in the Egg Supply Chain despite being “regarded as the market leader in the southern African animal feed industry” and producing “a variety of specialised diets and custom feed mixes for the livestock and game industries”, including for chickens. Instead of responding, Meadow Feeds stated that “ALRSA has not properly explained how the information being requested is applicable to Meadow Feeds’ business in the feed sector”. This is despite ALRSA making it very clear that feed manufacturing has a direct bearing on the welfare of chickens, for instance with reference to the quality of feed.

What follows are tables that indicate the colour-ratings for Selected Stakeholders across all Criteria and Indicators, based on our stakeholder engagement process and assessment of the information provided (or lack thereof) by Selected Stakeholders.

INTERNAL POLICIES AND ANNUAL REPORTS (CRITERIA 1 AND 2)

Indicators:	1.1 Access to animal welfare-relevant Internal Policies provided	1.2 Progressive Measures contained in Internal Policies	1.3 Acknowledgement that environmental protection and animal welfare are intertwined	1.4 Internal Policies regulate egg sourcing and phasing out of battery cages	1.5 Animal welfare (in general) provided for in Internal Policies	1.6 Compliance monitoring relating to Internal Policies	2.1 Access to Annual Report(s) provided	2.2 Annual Report(s) report on Progressive Measures to address Cruel Practices	2.3 Access to records evidencing animal welfare more generally	2.4 Annual Report(s) report on accountability measures aimed at compliance and enforcement with internal Policies	2.5 Access to asset register and stock related to sourcing of eggs including sales of both caged and/or free-range eggs provided
Selected Stakeholder:											
Pick n Pay	●	●	●	●	●	●	●	●	●	●	●
Shoprite	●	●	●	●	●	●	●	●	●	●	●
Spar	●	●	●	●	●	●	●	●	●	●	●
Woolworths	□	□	□	□	□	□	□	□	□	□	□
MassMart	□	□	□	□	□	□	□	□	□	□	□
Spur	●	●	●	●	●	●	●	●	●	●	●
Rocomamas	●	●	●	●	●	●	●	●	●	●	●
Mugg n Bean	●	●	●	●	●	●	●	●	●	●	●
Wimpy	●	●	●	●	●	●	●	●	●	●	●
Steers	●	●	●	●	●	●	●	●	●	●	●
Nandos	●	●	●	●	●	●	●	●	●	●	●
Papachinos	●	●	●	●	●	●	●	●	●	●	●

INTERNAL POLICIES AND ANNUAL REPORTS (CRITERIA 1 AND 2)

Indicators:	1.1 Access to animal welfare-relevant Internal Policies provided	1.2 Progressive Measures contained in Internal Policies	1.3 Acknowledgement that environmental protection and animal welfare are intertwined	1.4 Internal Policies regulate egg sourcing and phasing out of battery cages	1.5 Animal welfare (in general) provided for in Internal Policies	1.6 Compliance monitoring relating to Internal Policies	2.1 Access to Annual Report(s) provided	2.2 Annual Report(s) report on Progressive Measures to address Cruel Practices	2.3 Access to records evidencing animal welfare more generally	2.4 Annual Report(s) report on accountability measures aimed at compliance and enforcement with internal Policies	2.5 Access to asset register and stock related to sourcing of eggs including sales of both caged and/or free-range eggs provided
Selected Stakeholder:											
Kauai	●	●	●	●	●	●	□	□	□	□	●
KFC	●	●	●	●	●	●	●	●	●	●	●
McDonalds	●	●	●	●	●	●	●	●	●	●	●
Subway	□	□	□	□	□	□	□	□	□	□	□
Bidvest	●	●	●	●	●	●	●	●	●	●	●
Tiger Brands	●	●	●	●	●	●	●	●	●	●	●
Bakers	●	●	●	●	●	●	●	●	●	●	●
Unilever	□	□	□	□	□	□	□	□	□	□	□
Pioneer Food Group	□	□	□	□	□	□	□	□	□	□	□
Rhodes Food Group	●	●	●	●	●	●	●	●	●	●	●
Bidcorp	●	●	●	●	●	●	●	●	●	●	●
<i>*As amended in this Version 2 of this Initial Report.</i>											

INTERNAL POLICIES AND ANNUAL REPORTS (CRITERIA 1 AND 2)

Indicators:	1.1 Access to animal welfare-relevant Internal Policies provided	1.2 Progressive Measures contained in Internal Policies	1.3 Acknowledgement that environmental protection and animal welfare are intertwined	1.4 Internal Policies regulate egg sourcing and phasing out of battery cages	1.5 Animal welfare (in general) provided for in Internal Policies	1.6 Compliance monitoring relating to Internal Policies	2.1 Access to Annual Report(s) provided	2.2 Annual Report(s) report on Progressive Measures to address Cruel Practices	2.3 Access to records evidencing animal welfare more generally	2.4 Annual Report(s) report on accountability measures aimed at compliance and enforcement with internal Policies	2.5 Access to asset register and stock related to sourcing of eggs including sales of both caged and/or free-range eggs provided
Selected Stakeholder:											
Sun International	●	●	●	●	●	●	●	●	●	●	●
City Lodge	●	●	●	●	●	●	●	●	●	●	□
Southern Sun	●	●	●	●	●	●	●	●	●	●	●
Hotel Verde	□	□	□	□	□	□	□	□	□	□	□
Marriott Hotels	□	□	□	□	□	□	□	□	□	□	□
Hilton Hotels	●	●	●	●	●	●	●	●	●	●	●
Eggbert	□	□	□	□	□	□	□	□	□	□	□
Quantum Foods	●	●	●	●	●	●	●	●	●	●	●
TopLay	□	□	□	□	□	□	□	□	□	□	□
Big Dutchman	●	●	●	●	●	●	●	●	●	●	●
AFGRI	●	●	●	●	●	●	●	●	●	●	●
RCL Foods	□	□	□	□	□	□	□	□	□	□	□

INTERNAL POLICIES AND ANNUAL REPORTS (CRITERIA 1 AND 2)

Indicators:	1.1 Access to animal welfare-relevant Internal Policies provided	1.2 Progressive Measures contained in Internal Policies	1.3 Acknowledgement that environmental protection and animal welfare are intertwined	1.4 Internal Policies regulate egg sourcing and phasing out of battery cages	1.5 Animal welfare (in general) provided for in Internal Policies	1.6 Compliance monitoring relating to Internal Policies	2.1 Access to Annual Report(s) provided	2.2 Annual Report(s) report on Progressive Measures to address Cruel Practices	2.3 Access to records evidencing animal welfare more generally	2.4 Annual Report(s) report on accountability measures aimed at compliance and enforcement with internal Policies	2.5 Access to asset register and stock related to sourcing of eggs including sales of both caged and/or free-range eggs provided
Selected Stakeholder:											
Meadow Feeds	●	●	●	●	●	●	●	●	●	●	●

COMPLIANCE WITH RELEVANT LEGISLATION AND EVIDENCE OF ADVERSE FINDINGS (CRITERIA 3 AND 4)

Indicators:	3.1 Access to records of (non)compliance with Relevant Legislation, including criminal charges, citations, breaches and warnings by the NSPCA.	3.2 Records detailing inspections conducted by a Relevant Authority.	4.1 Access to records of Adverse Finding(s).
Selected Stakeholder:			
Pick n Pay	●	●	●
Shoprite	●	●	●
Spar	●	●	●
Woolworths	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MassMart	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spur	●	●	●
Rocomamas	●	●	●
Mugg n Bean	●	●	●

COMPLIANCE WITH RELEVANT LEGISLATION AND EVIDENCE OF ADVERSE FINDINGS (CRITERIA 3 AND 4)

Indicators:	3.1 Access to records of (non)compliance with Relevant Legislation, including criminal charges, citations, breaches and warnings by the NSPCA.	3.2 Records detailing inspections conducted by a Relevant Authority.	4.1 Access to records of Adverse Finding(s).
Selected Stakeholder:			
Wimpy	●	●	●
Steers	●	●	●
Nandos	●	●	●
Papachinos	●	●	●
Kauai	□	□	□
KFC	●	●	●
McDonalds	●	●	●
Subway	□	□	□
Bidvest	●	●	●
Tiger Brands	●	●	●
Bakers	●	●	●
Unilever	□	□	□
Pioneer Food Group	□	□	□
Rhodes Food Group	●	●	●
Bidcorp <i>*As amended in this Version 2 of this Initial Report.</i>	●	●	●

COMPLIANCE WITH RELEVANT LEGISLATION AND EVIDENCE OF ADVERSE FINDINGS (CRITERIA 3 AND 4)

Indicators:	3.1 Access to records of (non)compliance with Relevant Legislation, including criminal charges, citations, breaches and warnings by the NSPCA.	3.2 Records detailing inspections conducted by a Relevant Authority.	4.1 Access to records of Adverse Finding(s).
Selected Stakeholder:			
Sun International	●	●	●
City Lodge	●	●	●
Southern Sun	●	●	●
Hotel Verde	□	□	□
Marriott Hotels	□	□	□
Hilton Hotels	●	●	●
Eggbert	□	□	□
Quantum Foods	●	●	●
TopLay	□	□	□
Big Dutchman	●	●	●
AFGRI	●	●	●
RCL Foods	□	□	□
Meadow Feeds	●	●	●

EVIDENCE OF RELEVANT COMMITMENTS AND CONTENTS OF PUBLIC STATEMENT (CRITERIA 5 AND 6)

Indicators: Selected Stakeholder:	5.1 Records of Animal Welfare Commitments	5.2 Evidence of use of battery cage suppliers	5.3 Evidence of progress towards Animal Welfare Commitments	5.4 Evidence of records confirming Environmental Commitments	5.5 Selected Stakeholder regards Animal Welfare Commitments as Progressive Measure aimed at eliminating Cruel Practices	6.1 Access to any records of Public Statement(s)	6.2 Public Statement(s) are Comprehensive	6.3 Public Statement(s) could be construed as Greenwashing, Humane-washing or otherwise misleading
Pick n Pay	●	●	●	●	●	●	●	●
Shoprite	●	●	●	●	●	●	●	●
Spar	●	●	●	●	●	●	●	●
Woolworths	□	□	□	□	□	□	□	□
MassMart	□	□	□	□	□	□	□	□
Spur	●	●	●	●	●	●	●	●
Rocomamas	●	●	●	●	●	●	●	●
Mugg n Bean	●	●	●	●	●	●	●	●
Wimpy	●	●	●	●	●	●	●	●
Steers	●	●	●	●	●	●	●	●
Nandos	●	●	●	●	●	●	●	●
Papachinos	●	●	●	●	●	●	●	●
Kauai	●	●	□	□	□	●	●	●

EVIDENCE OF RELEVANT COMMITMENTS AND CONTENTS OF PUBLIC STATEMENT (CRITERIA 5 AND 6)

Indicators: Selected Stakeholder:	5.1 Records of Animal Welfare Commitments	5.2 Evidence of use of battery cage suppliers	5.3 Evidence of progress towards Animal Welfare Commitments	5.4 Evidence of records confirming Environmental Commitments	5.5 Selected Stakeholder regards Animal Welfare Commitments as Progressive Measure aimed at eliminating Cruel Practices	6.1 Access to any records of Public Statement(s)	6.2 Public Statement(s) are Comprehensive	6.3 Public Statement(s) could be construed as Greenwashing, Humane-washing or otherwise misleading
KFC	●	●	●	●	●	●	●	●
McDonalds	●	●	●	●	●	●	●	●
Subway	□	□	□	□	□	□	□	□
Bidvest	●	●	●	●	●	●	●	●
Tiger Brands	●	●	●	●	●	●	●	●
Bakers	●	●	●	●	●	●	●	●
Unilever	□	□	□	□	□	□	□	□
Pioneer Food Group	□	□	□	□	□	□	□	□
Rhodes Food Group	●	●	●	●	●	●	●	●
Bidcorp <i>*As amended in this Version 2 of this Initial Report.</i>	●	●	●	●	●	●	●	●
Sun International	●	●	●	●	●	●	●	●
City Lodge	●	□	●	●	●	●	●	●

EVIDENCE OF RELEVANT COMMITMENTS AND CONTENTS OF PUBLIC STATEMENT (CRITERIA 5 AND 6)

Indicators: Selected Stakeholder:	5.1 Records of Animal Welfare Commitments	5.2 Evidence of use of battery cage suppliers	5.3 Evidence of progress towards Animal Welfare Commitments	5.4 Evidence of records confirming Environmental Commitments	5.5 Selected Stakeholder regards Animal Welfare Commitments as Progressive Measure aimed at eliminating Cruel Practices	6.1 Access to any records of Public Statement(s)	6.2 Public Statement(s) are Comprehensive	6.3 Public Statement(s) could be construed as Greenwashing, Humane-washing or otherwise misleading
Southern Sun	●	●	●	●	●	●	●	●
Hotel Verde	□	□	□	□	□	□	□	□
Marriott Hotels	□	□	□	□	□	□	□	□
Hilton Hotels	●	●	●	●	●	●	●	●
Eggbert	□	□	□	□	□	□	□	□
Quantum Foods	●	●	●	●	●	●	●	●
TopLay	□	□	□	□	□	□	□	□
Big Dutchman	●	●	●	●	●	●	●	●
AFGRI	●	●	●	●	●	●	●	●
RCL Foods	□	□	□	□	□	□	□	□
Meadow Feeds	●	●	●	●	●	●	●	●

MEMBERSHIP OF INDUSTRY ASSOCIATIONS AND EVIDENCE OF CERTIFICATIONS (CRITERIA 7 AND 8)

Indicators:	7.1 Access to records confirming membership of Industry Association(s), if applicable	7.2 Evidence of compliance with animal welfare requirements of membership to Industry Association(s), if applicable.	8.1 Access to records illustrating SABS/AGW Certification	8.2 Access to records illustrating any applicable Other Certification
Selected Stakeholder:				
Pick n Pay	●	●	●	●
Shoprite	●	●	●	●
Spar	●	●	●	●
Woolworths	□	□	□	□
MassMart	□	□	□	□
Spur	●	●	●	●
Rocomamas	●	●	●	●
Mugg n Bean	●	●	●	●
Wimpy	●	●	●	●
Steers	●	●	●	●
Nandos	●	●	●	●
Papachinos	●	●	●	●
Kauai	□	□	□	□
KFC	●	●	●	●
McDonalds	●	●	●	●

MEMBERSHIP OF INDUSTRY ASSOCIATIONS AND EVIDENCE OF CERTIFICATIONS (CRITERIA 7 AND 8)

Indicators:	7.1 Access to records confirming membership of Industry Association(s), if applicable	7.2 Evidence of compliance with animal welfare requirements of membership to Industry Association(s), if applicable.	8.1 Access to records illustrating SABS/AGW Certification	8.2 Access to records illustrating any applicable Other Certification
Selected Stakeholder:				
Subway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bidvest	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Tiger Brands	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bakers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Unilever	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pioneer Food Group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rhodes Food Group	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bidcorp	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Sun International	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
City Lodge	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Southern Sun	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Hotel Verde	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriott Hotels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hilton Hotels	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Eggbert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MEMBERSHIP OF INDUSTRY ASSOCIATIONS AND EVIDENCE OF CERTIFICATIONS (CRITERIA 7 AND 8)

Indicators:	7.1 Access to records confirming membership of Industry Association(s), if applicable	7.2 Evidence of compliance with animal welfare requirements of membership to Industry Association(s), if applicable.	8.1 Access to records illustrating SABS/AGW Certification	8.2 Access to records illustrating any applicable Other Certification
Selected Stakeholder:				
Quantum Foods	●	●	●	●
TopLay	□	□	□	□
Big Dutchman	●	●	●	●
AFGRI	●	●	●	●
RCL Foods	□	□	□	□
Meadow Feeds	●	●	●	●

TRANSPARENCY AND COOPERATION (CRITERIA 9 AND 10)

Indicators:	9.1. Selected Stakeholders' website contained a readily available and easily accessible PAIA Manual	9.2 Selected Stakeholders' PAIA Manual designated Information Officer	9.3 Selected Stakeholders PAIA Manual explicitly mentions animal welfare as relevant subject or category of information/records and lists Animal Legislation	9.4 Understanding of, and willingness and ability to comply with ALRSA's request for access to records	10.1 Selected Stakeholder remained cooperative throughout ALRSA PAIA request and engagement
Selected Stakeholder:					
Pick n Pay	●	●	●	●	●
Shoprite	●	●	●	●	●
Spar	●	●	●	●	●
Woolworths	●	●	●	●	□

TRANSPARENCY AND COOPERATION (CRITERIA 9 AND 10)

Indicators:	9.1. Selected Stakeholders' website contained a readily available and easily accessible PAIA Manual	9.2 Selected Stakeholders' PAIA Manual designated Information Officer	9.3 Selected Stakeholders PAIA Manual explicitly mentions animal welfare as relevant subject or category of information/records and lists Animal Legislation	9.4 Understanding of, and willingness and ability to comply with ALRSA's request for access to records	10.1 Selected Stakeholder remained cooperative throughout ALRSA PAIA request and engagement
Selected Stakeholder:					
MassMart	●	●	●	●	<input type="checkbox"/>
Spur	●	●	●	●	●
Rocomamas	●	●	●	●	●
Mugg n Bean	●	●	●	●	●
Wimpy	●	●	●	●	●
Steers	●	●	●	●	●
Nandos	●	●	●	●	●
Papachinos	●	●	●	●	●
Kauai	●	●	●	●	●
KFC	●	●	●	●	●
McDonalds	●	●	●	●	●
Subway	●	●	●	●	<input type="checkbox"/>
Bidvest	●	●	●	●	●
Tiger Brands	●	●	●	●	●
Bakers	●	●	●	●	●

TRANSPARENCY AND COOPERATION (CRITERIA 9 AND 10)

Indicators:	9.1. Selected Stakeholders' website contained a readily available and easily accessible PAIA Manual	9.2 Selected Stakeholders' PAIA Manual designated Information Officer	9.3 Selected Stakeholders PAIA Manual explicitly mentions animal welfare as relevant subject or category of information/records and lists Animal Legislation	9.4 Understanding of, and willingness and ability to comply with ALRSA's request for access to records	10.1 Selected Stakeholder remained cooperative throughout ALRSA PAIA request and engagement
Selected Stakeholder:					
Unilever	●	●	●	●	<input type="checkbox"/>
Pioneer Food Group	●	●	●	●	<input type="checkbox"/>
Rhodes Food Group	●	●	●	●	●
Bidcorp <i>*As amended in this Version 2 of this Initial Report.</i>	●	●	●	●	●
Sun International	●	●	●	●	●
City Lodge	●	●	●	●	●
Southern Sun	●	●	●	●	●
Hotel Verde	●	●	●	●	●
Marriott Hotels	●	●	●	●	<input type="checkbox"/>
Hilton Hotels	●	●	●	●	●
Eggbert	●	●	●	●	<input type="checkbox"/>
Quantum Foods	●	●	●	●	●
TopLay	●	●	●	●	<input type="checkbox"/>

TRANSPARENCY AND COOPERATION (CRITERIA 9 AND 10)

Indicators:	9.1. Selected Stakeholders' website contained a readily available and easily accessible PAIA Manual	9.2 Selected Stakeholders' PAIA Manual designated Information Officer	9.3 Selected Stakeholders PAIA Manual explicitly mentions animal welfare as relevant subject or category of information/records and lists Animal Legislation	9.4 Understanding of, and willingness and ability to comply with ALRSA's request for access to records	10.1 Selected Stakeholder remained cooperative throughout ALRSA PAIA request and engagement
Selected Stakeholder:					
Big Dutchman	●	●	●	●	●
AFGRI	●	●	●	●	●
RCL Foods	●	●	●	●	□
Meadow Feeds	●	●	●	●	●

PART D: ANALYSIS

As set out above, ALRSA’s rating Criteria focused on the following:

1. Animal Welfare-centred Internal Policies
2. Annual Reporting on animal welfare and asset and stock register
3. Compliance with Relevant Legislation
4. Adverse Findings
5. Relevant Commitments
6. Public Statements
7. Membership to Industry Associations
8. Certifications

In the spirit of analysing corporate transparency and accountability we further included:

9. Transparency
10. Cooperation

Below we offer some analysis in respect of the rating exercise, linked to each Criteria.

ANIMAL WELFARE

ANIMAL WELFARE-CENTRED INTERNAL POLICIES

The majority of Selected Stakeholders provided access to Internal Policies Reports (26 out of 36). However, only 15 of the 26 Internal Policies provided included content relevant to animal welfare. Further, only 6 Selected Stakeholders provided Internal Policies that expressly address Progressive Measures, specifically related to the phasing out of cage egg sourcing. These were Famous Brands on behalf of Mugg n Bean, Wimpy and Steers respectively, Kauai, KFC and City Lodge.

No Internal Policies seek to tackle **all** Cruel Practices.

Some Selected Stakeholders’ Internal Policies address animal welfare generally and beyond merely addressing Cruel Practices. For instance, KFC’s “YUM!Brands Global Animal Welfare Policy” expressly recognises the Five Freedoms of Animal Welfare.⁷⁴⁶ Furthermore, this policy states:

“Across our global footprint we rely on poultry, beef and pork as key animal protein ingredients. We will seek to target key areas as much as possible to drive leadership and advancements in collaboration with our suppliers. These key areas include: reduced mortality rates, improved animal health to minimize medicines required, especially antibiotics, animal mobility and leg health issues in poultry and reduction of stress, improved behaviours and minimization of painful procedures. We will work with our suppliers to

⁷⁴⁶ Internationally accepted standards of minimum care developed by Britain's Farm Animal Welfare Council in 1965 which include: freedom from hunger or thirst, freedom from discomfort, freedom from pain, injury or disease, freedom to express normal behaviour, and freedom from fear and distress.

ensure continuous improvement in these areas and will ensure that animal welfare remains a critical component of the suppliers selection process”.

Further examples of Selected Stakeholders addressing animal welfare beyond Cruel Practices include City Lodge stating that it is investigating and considering “sourcing crate-free pork, which is sourced from sows that are not kept in gestation crates for the duration of their pregnancies”. In respect of Layer Hens, City Lodge has partnered with HSI-Africa to transition to 100% cage-free egg sourcing, an undertaking achieved in 2020. HSI-Africa has been working with City Lodge and it publicly reports on City Lodge’s animal welfare efforts.

Kauai claims that it is solely sourcing from certified free-range suppliers. It further claims to ensure that its suppliers have high animal welfare standards. This was confirmed by the provision of records confirming its suppliers’ free-range status. Furthermore, Kauai indicated that it only sources from a limited number of suppliers (1 in respect of eggs and 2 in respect of broiler chicken). Kauai further provided access to a policy of one of its suppliers, titled “Animal Welfare at Elgin Free Range Chicken” which addresses various aspects related to animal welfare including animal health, housing and diet, brand integrity testing, darkness and sleep and stress reduction and avoidance of pain.

None of the Selected Stakeholders unequivocally acknowledged in their Internal Policies, Annual Reports, correspondence or otherwise that animal welfare and environmental protection are intertwined values. Quantum Foods stated that the environmental right and jurisprudence referred to in our request “all concern the protection of wild animals in terms of biodiversity legislation” and “to date, the courts have not extended the interpretation of the right to include the interests of poultry farmers for human consumption”. This was the stance adopted by Quantum Foods in refusing to respond to various of our requests. In doing so, Quantum Foods refused to acknowledge that the environmental right and animal welfare in respect of Layer Hens and Chicks are intertwined values. We disagree, as the **NSPCA Case**, on which Quantum Foods placed reliance, involved the slaughter of two **domesticated** (as opposed to wild) animals (camels). Furthermore, the court did not limit its ruling pertaining to the applicability of the environmental right to animal protection exclusively to wild animals, but references animals more generally. Moreover, the court was concerned with the interpretation of the Animals Protection Act 71 of (“**APA**”), which regulates domesticated animals, such as farmed animals given its definition of “animal”.

ANNUAL REPORTING ON ANIMAL WELFARE AND ASSET AND STOCK REGISTERS

Just over half of the Selected Stakeholders provided access to their Annual Reports (19 out of the 36). Only the Annual Reports of KFC and Hilton address Progressive Measures or Cruel Practices in any manner, whilst in addition to these two Selected Stakeholders, Pick n Pay and City Lodge address animal welfare generally in their reporting.

5 out of the 36 Selected Stakeholders provided access to their asset and stock registers related to its sourcing of eggs as well as sales of both caged and/or free-range eggs. Many of the Selected Stakeholders refused to provide access to this information stating that these records do not exist or invoking grounds of refusal in terms of PAIA. Where provided, asset and stock registers proved to be useful in that it provided insight into whether Selected Stakeholders sourced its eggs from caged or cage-free suppliers. Kauai was the only Selected Stakeholder whose asset register and stock documents confirmed that they solely source free range.

COMPLIANCE WITH RELEVANT LEGISLATION AND ADVERSE FINDINGS

Most retailers, wholesalers and hotels provided records confirming compliance or otherwise with Relevant Legislation and records relating to Adverse Findings. However, some fast-food outlets and restaurants refused to grant access to these records. Tiger Brands denied the applicability of Relevant Legislation to them.

RELEVANT COMMITMENTS

While only Nandos and City Lodge provided documentation expressly confirming that they have undertaken Animal Welfare Commitments, various other Selected Stakeholders, while not providing such records, have committed to transitioning to cage-free egg sourcing in policies or otherwise. This includes Famous Brands Ltd on behalf of Mugg n Bean, Wimpy and Steers, Kauai, KFC, McDonalds and Hilton Hotels. Only 9 Selected Stakeholders provided records confirming that they are party to an Environmental Commitment. They include Pick n Pay, Shoprite, Spar, KFC, Rhodes Food Group, Bidvest, Sun International, City Lodge, Southern Sun, and Hilton Hotels.

PUBLIC STATEMENTS

We define “Public Statements” as:

“A statement made by a Selected Stakeholder available in the public domain and provided to ALRSA in response to a request for access to information in which it discloses its sourcing practices in respect of the Egg Supply Chain (as a distributor or user thereof) and/ or its production system in respect of eggs (as applicable). It does not include statements not provided to ALRSA”.

A Public Statement was viewed as “Comprehensive” if it:

“addresses Progressive Measures and Cruel Practices of the Selected Stakeholder in detail, with full disclosure and the utmost transparency, for instance, not only disclosing Progressive Measures aimed at eliminating Cruel Practices, but also the extent to which the Selected Stakeholder remains complicit or a participant in Cruel Practices”.

The majority of Selected Stakeholders did not provide Public Statements. Ideally, Public Statements would disclose to consumers current sourcing and production activities these Selected Stakeholders were undertaking within the Egg Supply Chain. Only Famous Brands on behalf of Mugg n Bean, Wimpy and Steers, Kauai, and City Lodge provided access to Comprehensive Public Statements. The multinational corporation, Hilton, provided access to Public Statements addressing its transition to cage-free egg sourcing. This Public Statement states that Hilton has a 43% transition to cage-free sourcing in Europe, Middle East & Africa. This is not viewed as Comprehensive, since it omits crucial information about South Africa and is vague and unclear. Further engagement with Hilton revealed that the sourcing of their eggs in South Africa is currently done from caged system suppliers.

INDUSTRY ASSOCIATION MEMBERSHIP AND CERTIFICATION

Very few Selected Stakeholders provided confirmation of membership of Industry Associations. Members of Industry Association include Shoprite, Quantum Foods, and AFGRI. Pick n Pay claimed to “subscribe to SAPA which is an industry body which guides and assists with self-regulation within the Poultry Industry” but did not provide proof of membership. Many Selected Stakeholders viewed Industry Associations as not applicable to them. Some Selected Stakeholders confirmed that **their suppliers** are members of Industry Associations, however, did not confirm any such membership in respect of themselves. These include

McDonalds, Tiger Brands, and Bakers. Other Selected Stakeholders confirmed that they are not a member of any Industry Association. They include Bidvest, Sun International, City Lodge Hotel Group, Hilton Hotels and KFC.

TRANSPARENCY

The majority of Selected Stakeholders have readily available and easily accessible published PAIA Manuals available on their respective websites, including: Pick n Pay, Shoprite, Spar, Woolworths, MassMart, Spur, Nandos, KFC, McDonalds, Tiger Brands, Bakers, Pioneer Food Group, Bidcorp, Bidvest, Sun International, City Lodge, Southern Sun, Hotel Verde, Quantum Foods, Big Dutchman, AFGRI and RCL Foods.

In instances where the Selected Stakeholders' PAIA Manual was not readily available or easily accessible on the Selected Stakeholder's website, we contacted various parties in order to obtain it. This included liaising with contact service representatives as well as members of staff. This caused delays in our stakeholder engagement. It further indicated a general lack of compliance with the relevant Selected Stakeholders' legal obligations in terms of PAIA. We were unable to successfully submit a PAIA request to Subway due to their PAIA Manual being inaccessible on their website. We made several attempts to contact Subway in order to seek information regarding their PAIA Manual and Information Officer via their contact section on their official website.

None of the PAIA Manuals examined specifically or expressly list animal welfare as a relevant category for the request of information, despite all Selected Stakeholders playing a role in the Egg Supply Chain and food system more broadly, including animal agriculture. The majority of the PAIA Manuals do not list any, or make only limited reference to Animal Legislation or Environmental Legislation as being applicable to their operations. Quantum Foods' PAIA Manual lists the Agriculture Products and Standards Act;⁷⁴⁷ the Animal Diseases Act;⁷⁴⁸ Livestock Improvement Act;⁷⁴⁹ and the Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act;⁷⁵⁰ however does not list any Environmental Legislation.

Certain Selected Stakeholders provided statements and information in respect of suppliers, however redacted important information from their suppliers including their names, contact information or the number of eggs sourced from these suppliers. These Selected Stakeholders claimed that this redaction was justified in terms of POPIA. To clarify, only to the extent that our request entails disclosure of **personal information**⁷⁵¹ protected

⁷⁴⁷ No. 119 of 1990.

⁷⁴⁸ No 35 of 1984.

⁷⁴⁹ No 24 of 1985.

⁷⁵⁰ No 36 of 1947.

⁷⁵¹ In terms of POPIA, "personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to -
Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
Information relating to the education or medical, financial, criminal or employment history of the person;
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
The biometric information of the person;
The personal opinion, views, or preference of the person;
Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

by POPIA may it be redacted from the relevant records. ALRSA contends that supplier names would not fall within the meaning of personal information in terms of POPIA. Such redactions were thus viewed as inconsistent with transparency, which informed the relevant Selected Stakeholders' overall rating in respect of the transparency and co-operation Criteria. ALRSA is of the view that failure to disclose supplier details indicates a lack of general understanding in respect of the obligations of a Selected Stakeholders in relation to animal welfare in the Egg Supply Chain.

Most Selected Stakeholders (16 out of 27 responsive Selected Stakeholders) refused to provide information regarding their suppliers, including records about their internal Egg Supply Chain and names of their suppliers. Some Selected Stakeholders relied on confidentiality provisions in their supply contracts and arrangements as a rationale for their refusal. This stance was deemed to indicate a lack of transparency and cooperation in respect of the relevant Selected Stakeholders.

Despite calls and email correspondence, including email correspondence through customer websites, some Selected Stakeholders did not respond to our PAIA requests at all. ALRSA sent numerous follow up emails to these Selected Stakeholders, highlighting that their non-response amounted to a refusal in terms of PAIA and as such, the Selected Stakeholder would be negatively rated in this Initial Report on that basis. Non-responsiveness informed the overall score of a Selected Stakeholder, particularly in respect of Criteria relating to transparency and cooperation.

COOPERATION

A few Selected Stakeholders were cooperative throughout our engagement with them by demonstrating openness and a willingness to engage meaningfully and constructively, namely Tiger Brands, Bakers, Bidvest and Hilton Hotels.

Several Selected Stakeholders initially adopted an uncooperative stance and as a “knee-jerk”, invoked grounds of refusal in terms of PAIA as a basis to refuse the disclosure of information in respect of specific requests, including Shoprite, Spar, Pick n Pay and Rhodes Food Group. However, upon further engagement, these Selected Stakeholders provided additional information and engaged more openly.

Several Selected Stakeholders (8 of the 36) were completely Non-Responsive despite receiving our PAIA Requests, in that they furnished no access to information and did not engage with us. These were Woolworths, MassMart, Unilever, Pioneer Food Group, Marriott Hotels and Eggbert, TopLay and RCL Foods.

There were several responses received from Selected Stakeholders which indicated ignorance of their legal obligations in terms of PAIA by the Selected Stakeholders. For example, the designated information officer in terms of PAIA of a Selected Stakeholder asked: “What are my legal duties?” and “You keep on referring to our legal obligation. Please kindly send through valid reference to this”.

A significant number of Selected Stakeholders (12 out of 36) adopted an obstructive approach.

For instance, various Selected Stakeholders relied on one or more grounds of refusal in PAIA without providing a proper justification for doing so. Some did so without complying with PAIA's requirements, such

The views or opinions of another individual about the person; and
The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

as the duty to take all reasonable steps as soon as possible to engage with third parties when considering a request for access to a record that might be refused because it relates to confidential or commercial information of a third party.⁷⁵² PAIA states that the third party may, within 21 days after the third party is informed, make written or oral representations to the Selected Stakeholders why the request for access should be refused; or give written consent for the disclosure of the requested record.⁷⁵³ These obligations arose in relation to our request for supplier information, but very little evidence of compliance therewith was provided.

Various Selected Stakeholders stated ignorance of or denied their involvement in the Egg Supply Chain. For example, several Selected Stakeholders identified as restaurants and fast-food chains expressly denied involvement in the egg supply chain. This despite serving eggs in their stores to their customers daily. Others denied any involvement in the Egg Industry despite being the producer to cages and the feed given to Layer Hens. This stance indicates a lack of holistic understanding of these Selected Stakeholders' obligations in respect of the environmental right as it relates to welfare at best, and represents wilful ignorance, at worst.

Some Selected Stakeholders attempted to “pass-the-buck” to their suppliers or Industry Associations in respect of our requests. This included our requests related to their PAIA Manual, Internal Policies and Animal Welfare Commitments, information that could reasonably be in the possession of a Selected Stakeholder, and not SAPA or a supplier. We received responses such as “[k]indly reach out to SAPA / our suppliers for the requested information” in response to our requests for access to information. Various Selected Stakeholders responded to our request for information related to their egg production and supply chain details by stating “we are not in possession of these records. We suggest you contact our suppliers and/or SAPA directly”.

Certain wholesalers and food manufacturers claimed that they do not source raw eggs, but admitted to sourcing powdered eggs, including combined with other ingredients. As a result, they did not believe that they were a role player in the Egg Supply Chain. As such, they viewed many of our requests as “not applicable”. ALRSA is of the view, however, that Selected Stakeholders sourcing powdered eggs still have obligations in respect of animal welfare. This includes adherence to Relevant Legislation, developing and publishing an Internal Policy related to responsible and ethical sourcing of these egg by-products with internal, and third-party compliance measures.

⁷⁵² Section 71 of PAIA.

⁷⁵³ Section 71(e)(i) and (ii) of PAIA.

LEGAL AND DISCLAIMERS

The focus for the Project is on the large scale, industrialised and intensive animal agricultural and production sector, specifically in relation to chickens in the Egg Industry, and where relevant other poultry (including broilers, among others). As such, this Initial Report does not include the informal sector, nor small scale and subsistence farming operations. Where appropriate, examples of other farmed animals, or examples from other jurisdictions have been incorporated, particularly where such information is not readily nor easily available in the South African context.

While government and public bodies have an essential role to play in ensuring the well-being and welfare of animals as well as the protection of the environment and human rights, the focus of this Initial Report is largely on the role of the private sector, specifically Corporations. Aspects of governmental and public body regulation and policies are highlighted and discussed; however, these aspects are not the focal point of this Initial Report.

As an organisation focused primarily on animal law, this is the predominant lens through which this Initial Report has been drafted and should be considered, i.e., the centering of animals, their interests, and their intrinsic worth in the dialogue. While social justice and environmental protection are critical components of the work of ALRSA, more research has been done in these areas as there are already a number of important organisations focusing on these aspects. As such, this Project aims to fill a gap within current research to additionally include animals and their welfare, flourishing and protection into this discussion, and the legal and policy tools which can be used to do this. This Initial Report does not intend to defame or harm the reputation of any company mentioned within.

This Initial Report is as a result of the preliminary research and the review performed by ALRSA and the co-authors and commenter as at the published date. It is published as at 3 August 2023 and is intended to provide only a summary of issues which may be relevant to the topic. It is limited in scope based on various factors. This is a non-exhaustive report intended to stimulate debate, research and law reform in the area of animal law and food systems and requiring further context and information in relation to all of the issues included herein.

ALRSA has focused on selected regulatory aspects and has not considered all legal, economic, political, social, environmental, technological, and other relevant aspects pertinent to some of these issues. All such factors should be considered when pursuing any further work or research.

It is also important to note that the focus of this Initial Report is on industrialised animal agricultural operations and practices occurring therein. Given the various types of systems, these all have different considerations and consequences. Statements, observations and recommendations do not and will not apply to small scale and extensive farming systems nor to other less harmful methods of animal agriculture including egg production and should not be constituted as allegations.

It is explicitly recognised that animal agriculture including egg production is not all conducted in the same manner, and it is dependent on the particular farmer, facility, method of farming, geographic location and various other factors. Therefore, only generalised statements and recommendations are made focusing on harmful potential impacts of industrialised animal agriculture and are representative of what is understood in that context which may not be applicable to or appropriate for all animal agriculture and animal production, nor appropriate to all of the role-players and stakeholders mentioned in this Initial Report. Statements made will not apply to all facilities and stakeholders and should not be construed as such.

This Initial Report does not contain a detailed description of all relevant laws and policies, papers and each document reviewed. Its purpose is to set out those legal issues which ALRSA considers to be material. Reliance should not be

placed solely on any of the summaries contained in this Initial Report, which are not intended to be exhaustive of the provisions of any document or circumstances. ALRSA reserves the right to amend and update this Initial Report including in light of new information and comments received.

Unless otherwise expressly agreed by ALRSA in writing, no person is entitled to rely on this Initial Report and neither ALRSA nor the co-authors or commenter shall have responsibility or liability to any party, whether in contract, delict (including negligence) or otherwise relating hereto.

This Project has been conducted and this Initial Report drafted by a civil society organisation in the public interest. In particular, with regard to the protection of guaranteed constitutional rights in mind and in exercising of ALRSA's freedom of expression as contained in the Constitution of the Republic of South Africa, 1996.

ALRSA is registered and established as a non-profit company and non-profit organisation. It is neither a registered law firm nor a law clinic. This Initial Report does not constitute legal advice.

Any views and opinions expressed in this Initial Report are those of the relevant co-author or commenter and do not necessarily reflect the views or positions of any entities they represent. Such opinions, views, comments, and expressions are protected under the right to freedom of expression as provided for in the Constitution. Neither ALRSA nor the co-authors or commenter accept any liability for any indirect or consequential loss or damage, or for any loss of data, profit, revenue or business (whether direct or indirect) in each case, or reputational damage, however caused, even if foreseeable.

Any resources or referenced materials, sources or sites included in this Initial Report do not constitute endorsement nor do ALRSA and/or the co-authors or commenter accept any responsibility for the content, or the use of same and we shall not be liable for any loss or damage caused or alleged to be caused by or in connection with use of or reliance on any content, goods or services available on or through any other resource.

None of the statements made or information presented in this Initial Report shall be considered as allegations against any person or entity, including the Selected Stakeholders of contravention of or offences in terms of any South African or international law and/or regulation. ALRSA declares that it has no malicious intent to defame, disparage, or harm the reputation of any person or entity, including the Selected Stakeholders, mentioned in this Initial Report. ALRSA aims to promote constructive dialogue and encourage responsible practices concerning animal welfare.

END.

REVISION NOTE: SEPTEMBER 2024

This revision note documents the updates made to the report titled *Laying Down the Facts: Animal Welfare Standards of the Companies Providing Your Favourite Foods*, originally published by ALRSA in August 2023 (“**Version 1 of the Initial Report**”) and republished with these amendments in September 2024, regarding Bidcorp, a Selected Stakeholder featured in the report. The revision aims to uphold transparency and accountability throughout the reporting process of ALRSA’s Corporate Accountability Project.

ALRSA’S ENGAGEMENT WITH BIDCORP

On 25 November 2022, ALRSA submitted a request for access to information from Bidcorp under PAIA. On 23 December 2022, Bidcorp requested that ALRSA pay a fee to process the request. In the same correspondence, Bidcorp refused to provide the requested records but stated it would reconsider if additional documents were supplied by ALRSA (“**Bidcorp’s Refusal Letter**”).

On 13 February 2023, ALRSA responded, urging Bidcorp to reconsider its decision, rebutting the grounds for refusal, and stressing the importance of transparency and accountability when engaging with civil society. ALRSA requested a response by 20 February 2023 on an urgent basis. Bidcorp did not respond by this deadline. The Initial Report was therefore prepared based on the correspondence received from Bidcorp as of 20 February 2023.

Following the publication of the Initial Report in August 2023, ALRSA commenced the second phase of its multi-phase Corporate Accountability Project. As part of this phase, ALRSA submitted a request for access to information from Bidcorp on 4 December 2023. Bidcorp responded on 20 December 2023, alleging that certain statements in the Initial Report regarding Bidcorp were inaccurate and requested written confirmation that the inaccuracies had been corrected.

CORRECTIONS REQUESTED BY BIDCORP

Bidcorp claimed that:

1. Version 1 of the Initial Report incorrectly implied that Bidcorp was not entitled to request a PAIA fee, emphasising that no exemption exists for non-profit organisations to pay a request fee under the law.
2. Version 1 of the Initial Report falsely asserted that Bidcorp did not respond to its request for information after receiving payment from ALRSA, as it submitted a response on 13 March 2023.

ALRSA maintains that the statements on page 236 of Version 1 of the Initial Report, regarding Bidcorp's PAIA fee request and being the only stakeholder to do so, are factually accurate. As such, no amendments are required in this regard.

However, we acknowledge Bidcorp's subsequent, belated correspondence received on 13 March 2023 ("**Bidcorp's Belated Response**"), which granted ALRSA partial access to the requested records. In light of this, and in the spirit of constructive stakeholder engagement, we issue this revision note to reflect the impact of Bidcorp's Belated Response on the Initial Report.

CHANGES MADE TO THE INITIAL REPORT IN RESPECT OF BIDCORP

The following amendments have been made in Version 2 of the Initial Report in respect of Bidcorp:

DESCRIPTION OF AMENDMENT	PAGE NUMBER: VERSION 1 OF THE INITIAL REPORT	PAGE NUMBER: VERSION 2 OF THE INITIAL REPORT
Amended the overall rating for Bidcorp: changed from Red to Orange .	12	12
Amended the overall rating for Bidcorp: changed from Red to Orange .	234	234
Removed statement regarding ALRSA's correspondence with Bidcorp post-payment of the PAIA request fee: <i>"[o]nly for Bidcorp, a major Corporation, to then refuse access to any of the records requested on spurious grounds and with limited justification. Upon ALRSA making this payment, and providing further substantiation for our request, Bidcorp acknowledged receipt of the requested payment and undertook to respond to our request but did not do so beyond this acknowledgement."</i>	236 & 237	237
Amended ratings for Indicators 1.1, 1.3, 2.1, 2.3 and 2.5 of Rating Criteria 1 and 2: Internal Policies and Annual Reports changed from Red to Green , Orange , Green , Orange , and Orange respectively.	238	238
Amended ratings for Indicators 3.1–3.2 and 4.1 of Rating Criteria 3 and 4: Compliance with Relevant Legislation and Evidence of Adverse Findings changed from all Red to all Green ratings.	241	241
Amended the colour rating for Indicator 5.3 of Rating Criteria 5 and 6: Evidence of Relevant Commitments and Contents of Public Statement changed from Green to Red . <i>*Note – The Green rating awarded to Bidcorp for</i>	244	244



DESCRIPTION OF AMENDMENT	PAGE NUMBER: VERSION 1 OF THE INITIAL REPORT	PAGE NUMBER: VERSION 2 OF THE INITIAL REPORT
<i>Indicator 5.3 in Version 1 of the Initial Report was incorrectly awarded; it should have been a Red rating.</i>		
Amended the colour rating for Indicator 6.1-6.3 of Rating Criteria 5 and 6: Evidence of Relevant Commitments and Contents of Public Statement changed from Red to Orange .	244	244
Amended the ratings for Indicators 9.4 and 10.1 of Rating Criteria 9 and 10: Transparency and Cooperation Compliance changed from Red to Orange .	249	250



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