

Animal Law Reform South Africa Outreach

From: Animal Law Reform South Africa Outreach
Sent: Monday, 20 May 2024 11:41
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: ALRSA_Nandos_PAIA_Request_13_12_2023 [ENS-ENS.FID5890542]

Tracking:	Recipient	Delivery
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	Delivered: 2024/05/20 11:41
	[REDACTED]	Delivered: 2024/05/20 11:41

Dear [REDACTED]

Thank you for your response and acknowledgement of receipt of our request dated 13 December 2023 to Chickenland (Pty) Ltd t/a Nando's ("Nando's"). For present purposes, we respond as follows, and reserve our rights to respond more fully.

We have taken note of the email address of your client.

Your client's claim that Nando's "does not sell any eggs with meals at any of its branches in South Africa" is respectfully denied. According to Nando's Animal Welfare Statement available on its website for South Africa (<https://www.nandos.co.za/help/3>):

"As part of this strategy, we are working towards a global strategy to source cage-free eggs across our global business. Currently, cage-free eggs are not available in all markets in which Nando's operates but we are committed to achieve the goal of 100% free range eggs used as both whole and as an ingredient within these markets by 2030. We believe that by both joining the global drive to source cage-free eggs and working closely with our suppliers we will be able to move to 100% free range eggs (including whole eggs and eggs as an ingredient) in New Zealand and Australia by 2023; North America and South Africa by 2025; and Malaysia and Singapore by 2027".

Nando's would not need to commit to using cage-free eggs in South Africa if eggs are not sold by Nando's in South Africa, whether whole or as ingredients. As such, we maintain that Nando's is a role player in the egg supply chain, and therefore has a legal obligation to provide access to the information, given that the information is required for the protection of the environmental right, as set out in our previous correspondence. The requested records will, among others, enable the pursuit of corporate accountability and transparency in the egg supply chain in South Africa. As it currently stands, there is a worrying lack of transparency among role players in the egg supply chain - from farm to fork.

Moreover, your client's claim that it does not have any information relevant to our request is alarming given that the records relate not only to animal welfare, but the protection of the environment more broadly. We therefore request that your client revisit its refusal to provide access to the records requested, particularly those in paragraphs 7 and 8 of our PAIA request.

To the extent that Nando's seeks to refuse access on the basis that the information does not exist, it is required by s55 of PAIA to produce an affidavit noting the steps taken to locate the information. No such affidavit has been provided. We hereby request that access, alternatively the requisite affidavit, be provided. Kindly note that your client is obliged to set out and justify any grounds of refusal under PAIA.

We also wish to highlight that Nando's has not complied with its obligations in terms of s71 of PAIA in respect of the information requested. In particular, there is no indication that Nando's has informed its suppliers of our request, nor sought their consent to disclose the information we request.

Should your client fail to provide access, or a proper justification for your its refusal in terms of PAIA, by **3 June 2024**, we reserve our rights to exhaust the legal remedies available to us, including but not limited to, approaching the Information Regulator to lodge a complaint in respect of Nando's, and/or approach the courts.

A collaborative and transparent approach in responding to our request is in the best interest of all parties involved - not least consumers, and chickens. We look forward to your timely and comprehensive response.

Kindly acknowledge receipt of this email.

Yours sincerely,

[Redacted signature]

Outreach: External Liaison
Animal Law Reform South Africa

[Redacted contact information]



Follow us on Social Media
[Facebook](#) | [Instagram](#) | [Twitter](#) | [LinkedIn](#)

This message as well as all information and/or attachments hereto are confidential and may be legally privileged. It is intended solely for the addressee and access to this message by anyone else is unauthorised. Should you not be the recipient for which this communication is intended, any disclosure, copying or distribution of the message, or any action or omission taken by you in reliance on it, is prohibited and may be unlawful. If you have received this message in error, please immediately notify the sender hereof. Animal Law Reform South Africa is not a registered law firm or law clinic. Any and all communications, information, documentation and other content provided by us should not be construed as and does not constitute legal advice. These are for informational purposes only and should not be relied on.

From: Animal Law Reform South Africa Outreach
Sent: Tuesday, December 19, 2023 9:16 AM
To: [Redacted]
Subject: RE: ALRSA_Nandos_PAIA_Request_13_12_2023 [ENS-ENS.FID5890542]

Dear [Redacted]

Thank you for your email. We note the content and will respond in due course.

Kind regards

[Redacted signature]

Outreach: External Liaison
Animal Law Reform South Africa

[Redacted contact information]



Follow us on Social Media

This message as well as all information and/or attachments hereto are confidential and may be legally privileged. It is intended solely for the addressee and access to this message by anyone else is unauthorised. Should you not be the recipient for which this communication is intended, any disclosure, copying or distribution of the message, or any action or omission taken by you in reliance on it, is prohibited and may be unlawful. If you have received this message in error, please immediately notify the sender hereof. Animal Law Reform South Africa is not a registered law firm or law clinic. Any and all communications, information, documentation and other content provided by us should not be construed as and does not constitute legal advice. These are for informational purposes only and should not be relied on.

From: [REDACTED]
Sent: Thursday, December 14, 2023 10:35 AM
To: Animal Law Reform South Africa Outreach <[REDACTED]>
[REDACTED]
Subject: RE: ALRSA_Nandos_PAIA_Request_13_12_2023 [ENS-ENS.FID5890542]

Dear Sirs,

We act for Chickenland (Pty) Ltd t/a Nando's ("our client").

We refer to your letter to our client dated 13 December 2023. For your future reference, please note that the incorrect email address was used for our client's Legal Counsel; it is [REDACTED]

We do not intend to respond to each and every allegation in your letter; not doing so is not to be construed as an admission by our client thereof. The allegations in your letter relating to our client's participation in the egg supply chain are incorrect. Our client does not sell any eggs with meals at any of its branches in South Africa. The menu you attached to your letter is not for South Africa. Our client accordingly does not have any information relevant to your request.

Please direct any further correspondence to ENSafrica.

Yours faithfully,

Edward Nathan Sonnenbergs Inc.
[REDACTED]



 Edward Nathan Sonnenbergs Incorporated registration number 2006/018200/21
level 1 B-BBEE rating

This email contains confidential information. It may also be legally privileged. Interception of this email is prohibited. The information contained in this email is only for the use of the intended recipient. If you are not the intended recipient, any disclosure, copying and/or distribution of the content of this email, or the taking of any action in reliance thereon, or pursuant thereto, is strictly prohibited. Should you have received this email in error, please notify us immediately by return email. ENSafrica (ENS and its affiliates) shall not be liable if any variation is effected to any document or correspondence emailed unless that variation has been approved in writing by the attorney dealing with the matter.

From: Animal Law Reform South Africa Outreach [REDACTED]
Sent: Wednesday, December 13, 2023 10:44 AM
To: [REDACTED]
Subject: ALRSA_Nandos_PAIA_Request_13_12_2023

EXTERNAL MESSAGE

This email was sent from outside of your organization.

Dear Information Officer

I trust you are well.

We reach out to you once again to request access to information from Chickenland (Pty) Ltd t/a Nando's in its role as a stakeholder in South Africa's egg supply chain.

Kindly find attached a request for access to information in terms of the Promotion of Access to Information Act 2 of 2000, as well as a covering letter with more information in respect thereof.

We look forward to receiving your completed Google forms (see cover letter and attached PDF document entitled "ALRSA_PAIA_List_of_Requests" for more details), within 30 days of the date hereof (i.e., by no later than 15 January 2024). Furthermore, kindly find attached the required confirmation of appointment and authorisation to submit the aforementioned PAIA request on behalf of Animal Law Reform South Africa.

Kindly acknowledge receipt hereof.

Kind regards

Outreach: External Liaison
Animal Law Reform South Africa



Follow us on Social Media
[Facebook](#) | [Instagram](#) | [Twitter](#) | [LinkedIn](#)

This message as well as all information and/or attachments hereto are confidential and may be legally privileged. It is intended solely for the addressee and access to this message by anyone else is unauthorised. Should you not be the recipient for which this communication is intended, any disclosure, copying or distribution of the message, or any action or omission taken by you in reliance on it, is prohibited and may be unlawful. If you have received this message in error, please immediately notify the sender hereof. Animal Law Reform South Africa is not a registered law firm or law clinic. Any and all communications, information, documentation and other content provided by us should not be construed as and does not constitute legal advice. These are for informational purposes only and should not be relied on.

Email Disclaimer

The information contained in, or attached to, this email message is confidential and may be proprietary. Nothing in this message constitutes an offer, warranty or representation from us. It is intended for the recipient or recipients to whom it is addressed. If you are not the intended recipient of this e-mail and have received it in error please notify the sender of the e-mail immediately by return e-mail, facsimile or telephone and delete it and any attachment and all copies of it and of any such attachment from your system immediately and destroy any paper copies. If you are not the intended recipient, you are not authorised to use, store, distribute, disclose, print or copy any part of this e-mail or any attachment to it, whether directly or indirectly. This message has been scanned for computer viruses, however we do not accept any liability whatsoever in respect of any potential damage caused by any virus which is not detected. This disclaimer applies to the original e-mail message and any attachments sent as well as to all subsequent messages or attachments that we may send.

Personal Information

We respect your privacy and acknowledge that this email will contain personal details, which may belong to you, others and / or to your company (Personal Information).

By sending and / or receiving this email communication, you expressly give us consent to process and further process the Personal Information contained therein which processing will be done in accordance with POPIA and the NANDO's POPIA PRIVACY policy and any other related policies in place from time to time (that are available on request from the Information Officer) which is available BY CLICKING AND ACCESSING THIS HYPERLINK: <https://www.nandos.co.za/privacy-policy>