

From:



Bcc:

Subject:

RE: FAMOUS BRANDS LIMITED / ALRSA REQUEST FOR ACCESS TO RECORDS

Date:

Tuesday, 21 February 2023 13:37:00

Attachments:

[image001.png](#)

[image003.png](#)

Dear 

I trust you are well.

We acknowledge receipt of your correspondence dated 23 January 2023 in response to our PAIA request. We have now had an opportunity to take legal advice in respect of your correspondence and set out our response below. Please note that whilst we do not intend to deal with each and every issue raised in your correspondence of 23 January 2023, we reserve the right to do so in detail, and in the appropriate forum, should the need arise.

In relation to Famous Brands' refusal to provide access to information, we wish to place the following on record, and give Famous Brands a further opportunity to be transparent and accountable in the interests of the welfare of chickens in South Africa.

As you are no doubt aware, PAIA gives effect to the constitutional right to access to information in terms of s 32 of the Constitution. Its constitutionally ordained purpose is to promote transparency, accountability, and ensure effective governance of all bodies in South Africa, including corporations such as Famous Brands. PAIA is further to be interpreted in a generous and purposive manner. Following this approach, it has been held that information in private hands with a demonstrable and sufficient connection to the exercise or protection of any rights legitimately belongs in the public domain.

To the extent that Famous Brands claims that information is not in its possession, it is incumbent upon Famous Brands to provide, in terms of s 55 of PAIA, an affidavit detailing the steps taken by you to locate the information, and to clarify precisely which information is not in its possession. You have not done so. We accordingly request access, alternatively the requisite affidavit. We also ask that Famous Brands confirms, as your response suggests, that you have no responsible sourcing policy in place.

Furthermore, paragraph 6.5 of our request (Egg production and Supply Chain details), relates to third party information. As such, we wish to highlight that Famous Brands has not complied with its obligations in terms of section 71 of PAIA in respect of the information requested. In particular, there is no indication that Famous Brands has informed its suppliers or franchisees of our request, nor sought their consent to disclose the information we requested.

Lastly, it seems entirely untenable that Famous Brands is not in possession of any of the requested information about its suppliers, as you have alleged. The menus of any one of Famous Brands' franchisees (a Wimpy, Mugg & Bean or Steers) confirms that these restaurants serve eggs and egg products. The information requested would emerge from supplier contracts, among other records. It cannot be the case that Famous Brands and its franchisees do not conclude contracts with its egg suppliers or have any of the requested records relating to its suppliers.

We trust that Famous Brands will adjust its approach so as to advance transparency and accountability in relation to the environment, noting the Supreme Court of Appeal's remark 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.”

We look forward to receiving a fully compliant and thorough response to our request in terms of PAIA forthwith. Should you fail to do so, 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 Famous Brands, and/or approaching the courts.

Kindly respond to this correspondence by no later than **28 February 2023** given that we are currently preparing our public report in which we will rank Famous Brands relative to its transparency and stance on animal welfare and environmental sustainability, among other matters. The ranking will be informed by your response to this correspondence, as well as the previous correspondence and records provided.

Kindly acknowledge receipt of this email.

Kind regards

Outreach: External Liaison
Animal Law Reform South Africa
outreach@animallawreform.org



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From: [REDACTED]

Sent: Monday, 23 January 2023 15:19

To: Animal Law Reform South Africa Outreach [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: FAMOUS BRANDS LIMITED / ALRSA REQUEST FOR ACCESS TO RECORDS

[REDACTED]

Please find attached letter for your attention.

Kind Regards

[REDACTED]

[REDACTED]

From: Animal Law Reform South Africa Outreach <outreach@animallawreform.org>

Sent: 17 January 2023 13:53

To: [REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: FAMOUS BRANDS LIMITED / ALRSA REQUEST FOR ACCESS TO RECORDS

[REDACTED]

I trust you are well.

Thank you for your response and acknowledgement of receipt of ALRSA's request for access to information in terms of PAIA dated **21 November 2022** ('our request').

We note your extension notice in response to our request, which extends the period within which to respond thereto by 30 days, that period expiring on **23 January 2023**.

As such, we look forward to your response to our request by **23 January 2023**.

We thank you in advance for your cooperation, as the information requested will empower us to advance animal welfare concerns in South Africa in pursuit of the fulfilment of the environmental right enshrined in section 24 of the Constitution.

Yours sincerely,

[REDACTED]

Outreach: External Liaison
Animal Law Reform South Africa
outreach@animallawreform.org



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From: [REDACTED]
Sent: Thursday, 22 December 2022 12:29
To: Animal Law Reform South Africa Outreach <outreach@animallawreform.org>
Cc: [REDACTED]
[REDACTED]
Subject: FAMOUS BRANDS LIMITED / ALRSA REQUEST FOR ACCESS TO RECORDS

Good afternoon

Please find attached our letter for your attention.

Regards

