

## Animal Law Reform South Africa Outreach

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**From:** Animal Law Reform South Africa Outreach  
**Sent:** Wednesday, 07 February 2024 11:13  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: ALRSA\_Woolworths\_PAIA\_Request\_11\_12\_2023

Dear [REDACTED]

I trust you are well.

Thank you for your response to our request for access to information dated 11 December 2023. Whilst we do not deal with every issue raised in your correspondence, we reserve the right to do so should the need arise.

In relation to Woolworths' refusal to provide access to information, we wish to place the following on record, and give Woolworths a further opportunity to be transparent and accountable in the interests of the welfare of chickens in South Africa and environmental protection to advance human health and well-being.

Inasmuch as you purport to rely on s 64 and s 65 of PAIA to refuse access to information, the courts have confirmed that it is not lawful to refuse access to records merely by quoting a provision in PAIA. Your blanket reliance on grounds of refusal is therefore viewed as obstructive and contrary to Woolworths' constitutional obligations. The purpose of PAIA is to promote transparency and access as envisaged by s 32 of the Constitution, and PAIA is to be interpreted in this light. It is thus necessary for Woolworths to indicate and fully justify the basis upon which you allege that these grounds of refusals are applicable. We trust that Woolworths will do so; alternatively, revisit its stance on transparency and provide full access.

In light of s 70 of PAIA, the duty on Woolworths to justify its reliance on the grounds set out in s 64 and s 65 is particularly important. The public interest in food safety and animal welfare outweighs any alleged commercial or financial harm on the part of Woolworths. Disclosure could reveal substantial contravention of, or failure to comply with, the law.

Moreover, it appears that Woolworths has not complied with its obligations in terms of s 71 of PAIA in respect of the information requested. In particular, there is no indication that Woolworths has informed its suppliers of our request, nor sought their consent to disclose the information we requested. We hereby afford Woolworths the opportunity to do so.

Should Woolworths fail to comply with PAIA, 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 Woolworths, and/or approaching the courts.

We wish to remind Woolworths of 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.”*

Transparency is an important means to ensure that corporations such as Woolworths are accountable to their consumers and the public more generally. Indeed, the information you have provided has raised questions and

concerns of greenwashing and humane-washing on the part of Woolworths, which we wish to give you an opportunity to address.

Woolworths' annual sustainability report titled "Good Business Journey Report 2023" states that "[i]ndependent bodies regularly visit, inspect, and audit Woolworths' suppliers to ensure compliance with our animal welfare requirements" and that "100% of Woolworths whole eggs and liquid and powdered egg ingredients are free range". Yet, you have now stated that "95 % of the egg used as an ingredient in our other food products is now also free range". In the spirit of advancing transparency and accountability, and to address this contradiction, we request access to any and all records related to these independent bodies' visits, inspections and audits conducted on Woolworths' suppliers.

Lastly, we note that the report states:

*"[m]ost of Woolworths' protein and dairy suppliers have attended training on animal welfare. The training content covers topics such as animal welfare at the farm level and during transport and slaughter. We require that our suppliers undergo this training at least every three years to remain up to date with global best practice. Woolworths incentivises and rewards suppliers for having an assigned animal welfare officer who has attended this training programme by allocating a sustainability attribute to their products."*

To confirm this claim, we request access to any and all records related to this training and records confirming attendance of Woolworths' suppliers.

We look forward to your fully compliant and thorough response to our request made in terms of PAIA.

Kindly confirm receipt of this email.

Kind regards

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**Outreach: External Liaison**  
Animal Law Reform South Africa  
[outreach@animallawreform.org](mailto:outreach@animallawreform.org)



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**From:** [REDACTED]  
**Sent:** Tuesday, December 12, 2023 5:08 PM  
**To:** [REDACTED]  
**Subject:** RE: ALRSA\_Woolworths\_PAIA\_Request\_11\_12\_2023

Good day

I acknowledge receipt of your email with attachments that included your request in terms of the Promotion of Access to Information Act 2 of 2000.

We are of the view that most of the information you requested can be justifiably refused based on one of the listed grounds for refusal of access to records as espoused in the Act. Some of the most obvious grounds for refusal are (but not limited to):

- Mandatory protection of commercial information of third party;
- Mandatory protection of certain confidential information, and protection of certain other confidential information, of a third party

Nonetheless, I am inclined to repeat what was previously communicated to you upon your initial request which was received in November 2022. I reiterate that animal welfare is very important to us.

We have addressed Free range eggs as one of our milestones on our Good Business Journey to animal welfare.

Woolworths has only sold free range eggs since 2004. And more than 95 % of the egg used as an ingredient in our other food products is now also free range. Woolworths achievement to free range egg was recognised and awarded the Good Egg award by Compassion in World Farming (CIWF) in 2014.

During avian flu outbreaks, veterinary experts advise farmers to keep our free range hens indoors temporarily to protect their health and welfare.

The Agriculture Products Act recognises the need for free range hens to be housed in special circumstances, and thus makes provision for temporary housing of free range hens for a period of confined for no more than 24 weeks.

When hens have to be housed due to AI outbreaks, our consumers are notified via notices in our stores that hens are being housed as a preventative measure for AI.



For more information, please refer to Woolworths public reports.

Woolworths Sustainability (GBJ) report  
[Reports – Woolworths Holdings Limited](#)

2023 report [woolworthsholdings.co.za/wp-content/uploads/2023/09/2023-Good-Business-Journey-Report.pdf](https://www.woolworthsholdings.co.za/wp-content/uploads/2023/09/2023-Good-Business-Journey-Report.pdf)  
Page 74 focus on eggs

Woolies website  
[Woolworths.co.za](https://www.woolworths.co.za) | [Food, Home, Clothing & General Merchandise available online!](#)

[Good Egg Award | Compassion in Food Business](#)  
2014 Woolworths won [Woolworths receives international Good Egg Award \(bizcommunity.com\)](#)  
[WOOLWORTHS BECOMES THE FIRST AFRICAN RETAILER TO RECEIVE THE INTERNATIONAL GOOD EGG AWARD – Woolworths Holdings Limited](#)

Trust the above is in order.



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**From:** Animal Law Reform South Africa Outreach   
**Sent:** Monday, 11 December 2023 13:52  
**To:**   
**Subject:** ALRSA\_Woolworths\_PAIA\_Request\_11\_12\_2023

This is an external mail. Please be careful when clicking on links or opening attachments.  
Report any suspicious activity to [phishing@woolworths.co.za](mailto:phishing@woolworths.co.za) or use the Phish Alert button in Outlook.

Dear Information Officer

I trust you are well.

We reach out to you once again to request access to information from Woolworths Holdings Ltd 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 11 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**  
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