



## DISCLOSURE MATERIALS

Certified B Corporations must complete a Disclosure Questionnaire to identify potentially sensitive issues related to the company (e.g. historical fines, sanctions, material litigation, or sensitive industry practices).

This component does not affect the company's score on the B Impact Assessment. If the company answers affirmatively to any items in the Disclosure Questionnaire and B Lab deems them to be material, the company must:

- 1) Be transparent about the disclosure issues identified on the company's public B Impact Report
- 2) Describe how the company has addressed this issue.
- 3) Demonstrate that management systems are in place to avoid similar issues from arising in the future.

In all cases, the Standards Advisory council reserves the right to refuse certification if the company is ultimately deemed not to uphold the spirit of the community.

In addition to the voluntary indication of sensitive issues in the Disclosure Questionnaire, companies pursuing Certification also are subject to background checks by B Lab staff. Background checks include a review of public records, news sources, and search engines for company names, brands, executives/founders, and other relevant topics.

Sensitive issues identified through background checks may or may not be within the scope of questions in the Disclosure Questionnaire, but undergo the same review process and are subject to the same possible review by the Standards Advisory Council, including ineligibility for B Corp Certification, required remediation, or disclosure.

**This document contains a copy of the company's completed Disclosure Questionnaire and related disclosure documentation provided by the company.**

DISCLOSURE QUESTIONNAIRE

Company Name: Bonduelle Fresh Americas  
 Date Submitted: 11/18/2022

Industries & Products	Yes	No
Please indicate if the company is involved in production of or trade in any the following. Select Yes for all options that apply.		
Animal Products or Services		✓
Biodiversity Impacts		✓
Chemicals		✓
Company Explanation Of Disclosure Item Flags		✓
Disclosure Alcohol		✓
Disclosure Firearms Weapons		✓
Disclosure Mining		✓
Disclosure Pornography		✓
Disclosure Tobacco		✓
Energy and Emissions Intensive Industries		✓
Fossil fuels		✓
Gambling		✓
Genetically Modified Organisms		✓
Illegal Products or Subject to Phase Out		✓
Industries at Risk of Human Rights Violations		✓
Monoculture Agriculture		✓
Nuclear Power or Hazardous Materials		✓
Payday, Short Term, or High Interest Lending		✓
Water Intensive Industries		✓
Tax Advisory Services		✓

Supply Chain Disclosures	Yes	No
Please indicate if any of the following statements are true regarding your company's significant suppliers.		
Business in Conflict Zones		✓
Child or Forced Labor		✓
Negative Environmental Impact		✓
Negative Social Impact		✓
Other		✓

Outcomes & Penalties	True	False
Please indicate if the company has had any formal complaint to a regulatory agency or been assessed any fine or sanction in the past five years for any of the following practices or policies. Check all that apply.		
Anti-Competitive Behavior		✓
Breaches of Confidential Information		✓
Bribery, Fraud, or Corruption		✓
Company Explanation Of Disclosure Item Flags		✓
Company has filed for bankruptcy		✓
Consumer Protection		✓
Financial Reporting, Taxes, Investments, or Loans		✓
Hazardous Discharges Into Air/Land/Water (Past 5 Yrs)	✓	
Labor Issues		✓
Large Scale Land Conversion, Acquisition, or Relocation		✓
Litigation or Arbitration	✓	
On-Site Fatality		✓
Penalties Assessed For Environmental Issues		✓
Political Contributions or International Affairs		✓
Recalls	✓	
Significant Layoffs		✓
Violation of Indigenous Peoples Rights		✓
Other		✓

Practices	True	False
Please indicate if the following statements are true regarding whether or not the company engages in the following practices. Check all that apply. If the statement is true, select "Yes." If false, select "No."		
Animal Testing		✓
Company/Suppliers Employ Under Age 15 (Or Other ILO Minimum Age)		✓
Company Explanation Of Disclosure Item Flags		✓
Company prohibits freedom of association/collective bargaining		✓
Company workers are prisoners		✓
Conduct Business in Conflict Zones		✓
Confirmation of Right to Work		✓
Does not transparently report corporate financials to government		✓
Employs Individuals on Zero-Hour Contracts		✓
Facilities located in sensitive ecosystems		✓
ID Cards Withheld or Penalties for Resignation		✓
No formal Registration Under Domestic Regulations		✓
No signed employment contracts for all workers		✓
Overtime For Hourly Workers Is Compulsory		✓
Payslips not provided to show wage calculation and deductions		✓
Sale of Data		✓
Tax Reduction Through Corporate Shells		✓
Workers cannot leave site during non-working hours		✓
Workers not Provided Clean Drinking Water or Toilets		✓
Workers paid below minimum wage		✓
Workers Under Bond		✓
Other		✓



## B Corp Certification - Disclosure Questionnaire Documentation

PROVIDED BY: **Bonduelle Fresh Americas**      UPDATED AS OF: **11/18/2022**

<b>DISCLOSURE QUESTIONNAIRE CATEGORY</b>	Litigation and Penalties
<b>ISSUE DATE</b>	2019 and 2022
<b>TOPIC</b>	Wage and hour litigation
<b>SUMMARY OF ISSUE</b>	Over the past 5 years, the company has settled two class actions that were brought on behalf of current and former California hourly employees. One case focused on an alleged technical violation of the information required on pay statements and the other focused on an alleged failure to reimburse business expenses. Both cases contained broader allegations relating to overtime and meal and rest break requirements. The settlement in the second case is pending final court approval.
<b>SIZE/SCOPE OF ISSUE</b> (e.g. \$ financial implication, # of individuals affected)	The case that was settled in 2019 covered alleged claims from October 2014 to September 2019, from 2,437 settlement class members. The value of the 2019 settlement was approximately 0.1% of the company's net revenue for that fiscal year.  The case that was settled in 2022 covered alleged claims from September 2019 to April 2022, from 1,857 settlement class members. The value of the 2022 settlement was approximately 0.05% of the company's net revenue for that fiscal year.
<b>IMPACT ON STAKEHOLDERS</b>	The primary impact related to labor litigation is a financial impact on former California hourly employees.
<b>RESOLUTION</b>	Both cases were settled.
<b>IMPLEMENTED MGT PRACTICES</b>	To avoid these issues from happening again, the company corrected the technical error on its paystubs, reviewed all wage and hour practices and policies, and provided additional training on requirements to both management and hourly employees.
<b>RELATED INCIDENTS (Y/N)</b>	There were no related incidents



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<b>DISCLOSURE QUESTIONNAIRE CATEGORY</b>	Recalls
<b>ISSUE DATE</b>	2017-2021
<b>TOPIC</b>	Recalls due to quality control issues and potential contamination
<b>SUMMARY OF ISSUE</b>	<p>Bonduelle Fresh Americas has had 6 recalls in the last five years due to quality control issues.</p> <p>Recall #1 - January/February 2017, it was identified a potentially contaminated cheese from a supplier,  Recall #2 - August 2017, there was an incorrect bottom label,  Recall #3 - November 2017, there was an incorrect dressing ingredient incorporated into the product,  Recall #4 - November 2019, there was an industry-wide outbreak of E. coli O157:H7 in romaine lettuce,  Recall #5 - February 2020, there was an incorrect bottom label,  Recall #6 - September 2021, incorrect dressing was put into dressing cups by supplier</p>
<b>SIZE/SCOPE OF ISSUE (e.g. \$ financial implication, # of individuals affected)</b>	<p>Considering all the recalls reported by the company, less than 1% of its overall products were involved in those events. The company received consumer claims relating to the E. coli outbreak, including complaints that consumers suffered illnesses from consuming allegedly contaminated products. The claims were resolved through the company's processes without any litigation.</p>
<b>IMPACT ON STAKEHOLDERS</b>	<p>The product recalls carried risks for consumers' contaminations and allergies. The company received consumers claims relating to the E. coli outbreak, including complaints that consumers suffered illnesses from consuming allegedly contaminated products. The claims were resolved through the company's processes without any litigation.</p>
<b>IMPLEMENTED MGT PRACTICES</b>	<p>For recall #1, the company shared the following practices:</p> <ul style="list-style-type: none"> <li>- The supplier added a lot-separation step between production runs to prevent implicating multiple lots of product,</li> <li>- The suppliers strengthened its supplier food safety program by increased pathogen testing program and environmental monitoring program and they improved their supplier approval program</li> <li>- Bonduelle Fresh Americas US performed a focused on-site review of the supplier's food safety program,</li> </ul> <p>For recall #2, the company conducted the following steps:</p> <ul style="list-style-type: none"> <li>- Strengthened its procedures for process setup/staging of labels in production,</li> </ul> <p>For recall #3, the company implemented the following actions:</p> <ul style="list-style-type: none"> <li>- Enforced disciplinary action on assembly associates, retrained assembly associates, added a verification process for ingredient identity, incorporated line clearance procedure between product runs,</li> </ul> <p>(CONTINUED ON NEXT PAGE)</p>

<p><b>IMPLEMENTED MGT PRACTICES (CONTINUED)</b></p>	<p>For recall #4, the company reported the following measures taken:  - Increased field testing of produce (during the pre-harvest),</p> <p>For recall #5, Bonduelle Fresh America US conducted the following actions to understand the situation and to minimize the risks of happening again:  - The company determined that the correct top/bottom labels were used at the beginning and end of the production run, but correct procedures were not followed to verify correct labeling during the middle of the run,  - The company performed retraining and reinforcement of label verification procedures and an electronic scanning system to verify correct labels has since been installed,</p> <p>For recall #6, the company conducted the following preventive action:  - Performed focused on-site review of the supplier's food safety program</p>
<p><b>RELATED INCIDENTS (Y/N)</b></p>	<p>List of recalls are limited to those listed above</p>
<p><b>REPORT</b></p>	<p>Recall #1 - USDA recall notice: <a href="https://www.fsis.usda.gov/recalls-alerts/ready-pac-foods-inc.-recalls-chicken-salad-products-due-possible-listeria">https://www.fsis.usda.gov/recalls-alerts/ready-pac-foods-inc.-recalls-chicken-salad-products-due-possible-listeria</a>,</p> <p>Recall #2 - USDA recall notice: <a href="https://www.fsis.usda.gov/recalls-alerts/missa-bay-llc-recalls-chicken-products-due-misbranding-and-undeclared-allergen">https://www.fsis.usda.gov/recalls-alerts/missa-bay-llc-recalls-chicken-products-due-misbranding-and-undeclared-allergen</a>,</p> <p>Recall #3 - USDA recall notice: <a href="https://www.fsis.usda.gov/recalls-alerts/missa-bay-llc-recalls-chicken-wrap-products-due-misbranding-and-undeclared-allergens">https://www.fsis.usda.gov/recalls-alerts/missa-bay-llc-recalls-chicken-wrap-products-due-misbranding-and-undeclared-allergens</a>,</p> <p>Recall #4 - USDA recall notice: <a href="https://www.fsis.usda.gov/recalls-alerts/missa-bay-llc-recalls-salad-products-due-possible-e.-coli-o157h7-contamination">https://www.fsis.usda.gov/recalls-alerts/missa-bay-llc-recalls-salad-products-due-possible-e.-coli-o157h7-contamination</a>,</p> <p>Recall #5 - USDA recall notice: <a href="https://www.fda.gov/safety/recalls-market-withdrawals-safety-alerts/missa-bay-llc-issues-allergy-alert-and-recall-mislabeled-salad-product">https://www.fda.gov/safety/recalls-market-withdrawals-safety-alerts/missa-bay-llc-issues-allergy-alert-and-recall-mislabeled-salad-product</a></p> <p>Recall #6 - USDA recall notice: <a href="https://www.fsis.usda.gov/recalls-alerts/ready-pac-foods-inc.-recalls-ready-eat-salad-products-containing-meat-and-poultry">https://www.fsis.usda.gov/recalls-alerts/ready-pac-foods-inc.-recalls-ready-eat-salad-products-containing-meat-and-poultry</a></p>



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<b>DISCLOSURE QUESTIONNAIRE CATEGORY</b>	Hazardous Discharges Into Air/Land/Water
<b>ISSUE DATE</b>	March 2022 and July 2022
<b>TOPIC</b>	Accidental discharge of water with sugar and anhydrous ammonia from production facilities
<b>SUMMARY OF ISSUE</b>	<p>Bonduelle Fresh Americas experienced two accidental discharges.</p> <p>The first one happened on March 2022 and involved the water from the Apple Area. The sugar content from the Apple water changed the chemical oxygen demand (COD) level from the water sample that was pulled by the township. The company exceeded its PH limit. This implied a fine determined by the New Jersey Department of Environmental Protection responsible for Water Resource Management.</p> <p>The second one happened in July 2022 when anhydrous ammonia was discharged on the exterior of the Irwindale facility (Condenser #3). It was flagged by California Environmental Protection Agency.</p>
<b>SIZE/SCOPE OF ISSUE (e.g. \$ financial implication, # of individuals affected)</b>	<p>- 1st accidental discharge: the discharge happened in the Apple Room of Swedesboro facility, which represents less than 5% of sq ft of all facilities. The company had to pay a fine of \$ 1,000 defined by the New Jersey Department of Environmental Protection.</p> <p>- 2nd accidental discharge: occurred at the exterior of Irwindale facility (Condenser #3), which is 1 of 4 facilities owned by the company.</p>
<b>IMPACT ON STAKEHOLDERS</b>	<p>- 1st accidental discharge: Even though the discharge altered the COD level and the PH limit was exceeded, there was no harm reported to workers or the environment.</p> <p>- 2nd accidental discharge: According to the U.S Environmental Protection Agency, anhydrous ammonia can cause serious, often irreversible health effects when released. In addition to potentially harmful effects from inhalation or skin contact with this substance, it is highly flammable. Anhydrous ammonia is considered an extremely hazardous substance. There were no impacts on the community or the environment based on the location of the site.</p>
<b>IMPLEMENTED MGT PRACTICES</b>	<p>For the 1st accidental discharge, the company paid the fine and implemented a process to capture the residue of Apple Water., which is being constantly monitored.</p> <p>As for the 2nd discharge, Bonduelle Fresh Americas replaced the condenser, reviewed the routine pH checks, is frequently monitoring ammonia levels, and enhanced preventative measures.</p>
<b>RELATED INCIDENTS (Y/N)</b>	Yes. On 12/29/18 about 15 lbs. of ammonia was released due to a malfunctioning unit on the roof.