



Joint Report of 8th Avenue Food & Provisions, Inc., Golden Boy Foods Ltd. and Golden Boy Foods USA, Inc. under Canada’s Fighting Against Forced Labour and Child Labour in Supply Chains Act

May 28, 2024

1. INTRODUCTION

Canada’s *Fighting Against Forced Labour and Child Labour in Supply Chains Act* (the “Act”) requires certain entities and government institutions to submit, and make publicly available, an annual report to the Minister of Public Safety and Emergency Preparedness by May 31 of each year. Reports must detail the steps taken during the previous financial year to prevent and reduce the risk that forced labour or child labour is used at any step of the production of goods in Canada or elsewhere by the entity or of goods imported into Canada by the entity. To that end, the following is the fiscal year 2023 (October 1, 2022 to September 30, 2023) joint annual report under the Act for 8th Avenue Food & Provisions, Inc., a Missouri corporation (“8th Avenue”), Golden Boy Foods Ltd., an Ontario limited company (“Golden Boy Canada”), and Golden Boy Foods USA, Inc., a Delaware corporation (“Golden Boy US” and together with 8th Avenue and Golden Boy Canada, the “Reporting Entities”). 8th Avenue is filing this joint report on behalf of the Reporting Entities. Any references to “we”, “us” or “our” herein should be construed as a reference to the Reporting Entities.

2. OVERVIEW, OPERATIONAL SCOPE AND STRUCTURE OF THE REPORTING ENTITIES

8th Avenue

8th Avenue is a United States corporation headquartered in Fenton, Missouri that is a leading manufacturer of primarily private-label food products sold mainly to retail, ingredient and foodservice customers. 8th Avenue was formed in 2018 through a combination of private brands businesses owned by Post Holdings, Inc., a Missouri corporation (“Post” or “Post Holdings”). 8th Avenue is currently owned by Post and funds affiliated with Thomas H. Lee Partners, L.P., a private equity firm. 8th Avenue has two wholly-owned subsidiaries operating in Canada: Golden Boy Canada and Golden Boy US.

Golden Boy Canada

Golden Boy Canada manufactures peanut butters, is based in Markham, Ontario and operates out of two leased manufacturing facilities located in Markham and Brampton, Ontario. Golden Boy Canada does not exercise any direct or indirect control over any other corporation, trust, partnership or unincorporated organization.

Golden Boy US

Golden Boy US manufactures peanut butters, tree nut butters and dried fruit and nut products, and is the selling entity for all peanut butter, tree nut butter and dried fruit and nut products of 8th Avenue. Golden Boy US is based in Fenton, Missouri and has three wholly-owned subsidiaries: (i) Golden Boy Nut Company,

LLC, a Delaware limited liability company; (ii) Golden Nut Company (USA), LLC, a Washington limited liability company; and (iii) American Blanching Company, LLC, a Georgia limited liability company.

Relationship Between Reporting Entities and Post Holdings

Post Holdings is a consumer packaged goods holding company with businesses operating in the center-of-the-store, refrigerated, foodservice and food ingredient categories. Post's companies also market convenient nutrition and private brand foods and beverages. Post Holdings, or its subsidiaries, also have similar modern slavery reporting obligations in the United Kingdom and the State of California.

Although the Reporting Entities are separate companies with their own boards of directors and governance structures, the Reporting Entities operate under a shared services arrangement with Post. As part of the shared services arrangement, the Reporting Entities have adopted numerous Post policies, including but not limited to, Post's Global Code of Conduct.

The Reporting Entities are committed to conducting business ethically, responsibly and in accordance with applicable laws and regulations. Our commitment includes a comprehensive, enterprise-wide Code of Conduct, which we adopted from Post and which provides guidance to govern the way we work, the way we behave and the way we interact throughout our day-to-day operations. The Code of Conduct includes a zero-tolerance policy for the use of child labour, forced labour or human trafficking practices and an expectation, along with our Human Rights Position that we adopted from Post and our own 8th Avenue Supplier Code of Conduct, that our business partners, including suppliers, consultants, contractors and subcontractors, embrace our standards and expectations.

The Post Corporate Compliance and Ethics program, which the Reporting Entities have adopted, focuses on three primary intentions: prevention, detection and deterrence of potential violations. The compliance program, as well as our policies and procedures, are designed to promote transparency, open discussion and reporting of issues, both internally and externally. To encourage open and honest communication, our employees have access to an employee speak-up line, which is operated by a third-party provider, is available twenty-four hours a day, seven days a week in multiple languages and allows for anonymous reports. Employees are encouraged to promptly report ethical concerns.

We believe that integrating environmental, social and governance (ESG) considerations into our business activities is key to creating long-term value for our shareholders and other stakeholders. To facilitate integration of ESG considerations, and monitor effectiveness across the enterprise, Post has two groups of key internal stakeholders: (i) an ESG Steering Committee that is comprised of senior leaders from across the company, the mission of which is to steer Post's ESG direction by leading the development of its ESG strategy and recommending goals, policies, practices and disclosures that align with such strategy and (ii) an ESG Operations Council comprised of technical influencers from each of its businesses and the Reporting Entities, the mission of which is to implement its ESG strategy by providing operational perspectives, aligning on technical elements of implementing its ESG program, sharing best practices and technical expertise between its businesses and ensuring an effective flow of ESG information throughout the company. For more information on our approach to ESG and sustainability, including our four responsibility pillars (sourcing, operations, product and social) that we adopted from Post, visit: www.postholdings.com/responsibility.

3. ACTIVITIES AND SUPPLY CHAINS OF THE REPORTING ENTITIES

The Reporting Entities consider suppliers to be important business partners, and we expect our suppliers to share our high standard of business ethics and act in a socially, environmentally and economically responsible manner. Accordingly, our relationships with our suppliers are governed by the 8th Avenue Supplier Code of Conduct, which establishes labour, health and safety and ethical business standards required by us. The raw materials used by our business for producing, selling and distributing products in and outside of Canada are purchased from local, regional and international suppliers and include ingredients and packaging materials. The principal ingredients used by our business are wheat, oats, peanuts, tree nuts, vegetable oils, sugar, honey and dried fruits. The principal packaging materials used by our business are folding cartons, corrugated boxes, flexible and rigid plastic film, plastic jars and lids, trays and containers and plastic-lined carton board.

In addition, our manufacturing and distribution operations source natural gas, electricity and diesel fuel and use water. We also rely on trucking and railroad operators to deliver ingredients to manufacturing locations and to deliver our finished products to our customers. Our logistics and transportation networks rely upon third-party services managed by the Reporting Entities and third-party services managed by suppliers or customers. The majority of our logistics and transportation is through third-party service providers. We also utilize third-party relationships for co-manufacturing, contracted packaging suppliers, third-party warehouse and distribution operators and temporary labour.

4. POLICIES AND DUE DILIGENCE PROCESSES

We have policies and due diligence processes for preventing forced and child labour for our own organization and for our global supply chain.

For our own organization, prospective full-time and part-time employees are required to provide official identification documentation, such as a driver's license, as part of the on-boarding process. For temporary employees, age verification is conducted by a third-party provider.

For our global supply chain, the 8th Avenue Supplier Code of Conduct, combined with Post's Global Code of Conduct and Post's Human Rights Position, which we have adopted, set out the expectations for doing business with us and our vision for conducting business ethically and responsibly, with respect for human dignity and in accordance with all applicable laws and regulations. All business partners we engage are expected to embrace our standards and expectations and cascade these requirements to their suppliers, including the following relevant requirements:

- Ensuring products present no threat to food safety.
- Maintaining a culture of ethics, integrity and compliance with all applicable laws, rules and regulations.
- Complying with wage and hour laws.
- Recognizing employees' right to freedom of association and collective bargaining.
- Upholding a zero-tolerance policy for unlawful labour practices, such as child labour, forced labour and human trafficking.
- Producing products safely and with respect for the environment.

Our supplier standards and expectations apply to all business partners, including suppliers, consultants, contractors and subcontractors. Employees of suppliers are encouraged to promptly report ethical concerns.

The 8th Avenue Supplier Code of Conduct, which governs suppliers engaged by the Reporting Entities, specifically prohibits suppliers from using child labour or involuntary labour under any circumstances and suppliers are required to abide by its terms. Further, we screen potential suppliers for the use of child or forced labour through the use of our Responsible Sourcing Supplier Survey prior to engagement. Potential suppliers are required to respond to inquiries regarding the use of underage labour and whether they have policies against the use of forced labour as well. In addition, potential suppliers are required to disclose what policies they employ to protect against the use of human trafficking and slavery by their employees and contractors, and how these employees or contractors are held accountable. Suppliers who successfully meet these vetting requirements will then sign their acknowledgement of the 8th Avenue Supplier and Co-Manufacturer Expectations Manual, which states that 8th Avenue and its subsidiaries (including each of the Reporting Entities) will not accept the use of forced labour, in compliance with the California Transparency in Supply Chains Act.

To actively monitor our global suppliers for social, ethical and environmental risks, Post, on our behalf, uses a four-step process, in addition to standard vendor onboarding and qualification processes. The use of analytical tools, direct engagement (e.g., surveys, audits and meetings) and third-party due diligence assessments allows our organization to actively evaluate the parts of our activities and supply chains that carry a potential risk of forced labour or child labour. The four-step process includes:

- 1) A third-party risk management platform screens vendors for adverse media, government watchlists, sanctions and politically exposed persons.
- 2) All vendors are evaluated using a multivariable risk model.
- 3) Vendors with elevated risk levels are reviewed by an internal team.
- 4) When necessary, vendors are directly engaged for further third-party due diligence, monitoring and risk mitigation.

For fiscal year 2023, Post monitored over 2,000 active, nonactive and potential third-party suppliers within its risk management platform, including suppliers of ours.

5. FORCED LABOUR AND CHILD LABOUR RISKS

Based upon our evaluations to date and ongoing monitoring, we have concluded that the risks of forced labour and child labour in our supply chain are low and that the highest risk in our organization is identified as temporary agency employees and contractors who do not go through our employment verification process. To the best of our knowledge, the highest potential for risk exposure in our supply chain is the global sourcing of sweeteners, fruits and nuts. We have not identified any related incidents of forced or child labour in our organization or global supply chain within the most recent financial year. We also had no reports of suspected violations through our speak-up hotline, which is staffed by an independent third-party provider and is available twenty-four hours a day, seven days a week in every country where we operate, or any other channel available to our employees and suppliers to report ethics and compliance violations. However, we acknowledge that our organization must remain vigilant of these risks and ensure our suppliers understand and do their part, so such incidents do not take place in our organization or in our global supply chain.

6. REMEDIATION MEASURES

We have not identified any related incidents of forced or child labour in our organization or within our global supply chain in the most recent financial year and, therefore, it has not been necessary to implement remediation measures. We are, however, prepared to act appropriately should any incidents be identified, including suspending or discontinuing the sourcing of ingredients from relevant suppliers. We expressly reserve the right to impose a broad range of penalties on suppliers who fail to comply with local, state or federal laws, including without limitation, the laws pertaining to forced labour, child labour and human trafficking. These penalties include the right, in our sole discretion, to terminate entire business relationships. Similar penalties may be imposed for a supplier's failure to comply with its obligation to establish controls that prohibit discrimination, harassment and/or child labour. Our preferred approach is to work with and assist the existing vendor(s) to remediate any identified violations in their operations and/or supply chains, rather than simply moving our business to another supplier.

The specific remediation measures and process would be dependent upon the identified violation(s), ingredient, geography, business relationship, relevant supplier tiers and significance. In general, we would engage the relevant supplier(s) directly and rely upon credible third-party partners, as needed, to validate violations, engage appropriate parties, define appropriate remediation measures and meet any relevant reporting obligations. Based upon findings, a corrective action plan would be developed, implemented, tracked and adjusted as needed until the situation is resolved.

7. TRAINING

Employees are required to complete an annual Code of Conduct training. The Code of Conduct includes a section on upholding human rights, which messages (i) our commitment to never do business with any individual or company that participates in modern slavery or in any way exploits child, forced or compulsory labour and (ii) how to report suspicions of activity that may violate human rights. Employees are also required to complete an annual Respect for Each Other training, and targeted training on matters such as antitrust, bribery and corruption is provided to employees at heightened risk exposure. In addition, new employees of each of the Reporting Entities receive training on the Code of Conduct as part of the on-boarding process and the Code is included in the employee handbook.

8. ASSESSING EFFECTIVENESS

Our diligence process is designed to prevent engagement of third parties with known or suspected human rights violations. The diligence process is intended to manage risk throughout the supply chain, including tier 2 suppliers. We have added additional diligence for third party categories and geographies identified as higher risk for human rights violations and actively research best practices and leading insights for monitoring and mitigating risks. We will continue to monitor the need for further action to be taken and other key performance indicators to be implemented as we continue our risk assessment and due diligence activities.


9. APPROVAL AND ATTESTATION

In accordance with the requirements of the Act, and in particular section 11 thereof, I attest that I have reviewed the information contained in the report for the entities listed above. Based on my knowledge, and having exercised reasonable diligence, I attest that the information in the report is true, accurate and complete in all material respects for the purposes of the Act, for the reporting year listed above.

Name: Diedre J. Gray

Title: Director

Date: May 28, 2024

Signature: 

I have the authority to bind 8th Avenue Food & Provisions, Inc.