



Berry Global Group, Inc.

Code of Conduct for Suppliers

December 2023

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1. Introduction - Responsible Sourcing at Berry

Berry Global Group, Inc., its affiliates, divisions, and subsidiaries (collectively “Berry”) are committed to doing business in a socially responsible and sustainable manner. We expect our suppliers to hold themselves to the same high standards that we apply to ourselves.

As a global organization serving some of the largest brands in the world, we manage sourcing across geographies and at scale to meet the requirements of our local and regional customer delivery models. We are committed to working with suppliers across these supply chains for greater transparency and to make a positive impact on the communities we touch. We believe that working together, we can leverage our presence to be a force for good.

This Code of Conduct (“Code”) and our supplier engagement procurement program draws upon and supports Global Procurement Principles, including the United Nations Universal Declaration on Human Rights and the Sustainable Development Goals (see Appendix).

At Berry we are always advancing to protect what is important. We ask that our suppliers align with us on what it means to be a responsible corporate citizen in today’s, and tomorrow’s, value chain.

2. Scope and Purpose of this Code

This Code outlines the principles and standards we require of our suppliers. Berry only wants to do business with suppliers that adhere to these requirements.

A ‘supplier’ is anyone, company or individual, who supplies Berry with any goods or services. We expect the same adherence to this Code from all our direct and indirect suppliers. This includes any third party used by suppliers to fulfill any contract with Berry. Suppliers should use best efforts to have their suppliers and subcontractors commit to the principles and standards in this Code. This includes acceptance of the implementation and monitoring methods, such as self-disclosure and on-site inspections and audits, as detailed in Section 9.

Compliance with the Code is required for the duration of our business relationship. We will monitor and measure progress through supplier engagement and our review processes. However, where a supplier fails to comply or cannot or will not take actions to demonstrate compliance, then Berry may take steps to seek alternative supply which may result in the termination of business with the relevant supplier.

Suppliers are expected to operate in full compliance with all applicable laws, rules, and regulations and adhere to this Code. When local laws, rules and regulations are less restrictive than this Code, we expect suppliers to adhere to the standards in this Code in addition to applicable laws.

3. Human Rights and Labor Standards

Berry places a high priority on social responsibility towards employees and other potentially affected parties (see Appendix for a link to Berry’s Global Human Rights Policy). Suppliers should operate ethically and are encouraged to adopt or develop business practices to improve their work environment, community, and society in general. They are expected to ensure they do not commit or are involved in any human rights violations. As well as complying with applicable laws and standards, suppliers should be committed to upholding the Ten Principles of the United Nations Global Compact, the International Bill of Human Rights, the ILO Declaration on

Fundamental Principles and Rights at Work, the United Nations Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (see Appendix).

3.1. Respect in the Workplace, Diversity and Equal Treatment

Berry expects its suppliers to treat all their employees with respect and dignity. Diversity in the workplace is to be respected. Discrimination, harassment, and/or retaliation is not to be tolerated in any form. Suppliers are expected to recruit, employ and promote employees on the sole basis of qualifications and abilities needed for the role, without regard to race or ethnic origin, gender, religion or belief, disability, age, sexual orientation, military status, or any other characteristic recognized by law. Discrimination includes the payment of unequal remuneration for work of equal value. Suppliers must also prohibit retaliation (i.e., reprisal against an individual for filing a complaint, participating in an investigation, or otherwise opposing employment practices that they reasonably believe violates the law of this policy). The requirements of the applicable ILO Conventions (e.g., ILO Convention No. 111 and No. 159, see Appendix) and other applicable international, national, and state anti-discrimination, anti-harassment, anti-retaliation and/or whistleblowing laws must be observed.

3.2. Child Labor, Forced Labor and Human Trafficking

Suppliers must not employ workers who are younger than the legal minimum age for employment applicable to the supplier/relevant county, or the age of completion of compulsory education and in any event not before they reach the age of 15. Suppliers should adhere to all applicable international, national, and state child labor laws and standards, including the ILO Convention (including Nos. 182-183, see Appendix). Suppliers should ensure young workers do not do work that deprives them of attending school. Suppliers should comply with all reporting obligations regarding the abolition of child labor.

Berry has no tolerance for any form of forced or compulsory labor. Suppliers are strictly prohibited from utilizing any form of forced or bonded labor, including modern slavery, or participating in human trafficking. In addition, no employee may be subjected to unacceptable treatment, such as physical or mental abuse, threat of violence or sexual or other personal harassment, coercion, or intimidation.

We also encourage suppliers to work actively towards eliminating modern slavery and forced labor within their own sphere of influence, e.g., through supplementary measures (in accordance with ILO Recommendation No. 203, see Appendix) or cooperative efforts (e.g., as members of initiatives) and collaboration with non-governmental organizations.

3.3. Wages, Compensation and Benefits (including living wage)

Suppliers must provide employees with wages and benefits that meet or exceed the minimum required by applicable international, national, and state laws and regulations. We expect suppliers to enforce the right to fair working conditions (including in relation to pay and hours) in accordance with the applicable ILO Conventions (e.g., ILO Convention No. 1, No. 14, No. 26, and No. 131, see Appendix), and other applicable laws. Suppliers should ensure the payment of fair wages and comply with all applicable statutory labor regulations regarding working hours, remuneration and social benefits. Where legally required, suppliers must maintain appropriate working time records.

Employees must in no way be made to bear the cost of recruitment fees. The use of misleading or deceptive practices when recruiting employees is forbidden.

3.4. Working Hours

Within the bounds of normal seasonal and other fluctuations in business requirements, suppliers must: (i) maintain a reasonable overall pattern of required working hours and days off for their employees so that total work hours per week do not regularly exceed industry norms; (ii) pay fair and timely compensation, including any required premium payments for overtime work; and (iii) advise new employees at the time of hiring if mandatory overtime is a condition of employment.

Work contract documentation must be in writing, contain a detailed description that is comprehensible, be in the employee's native language, and be available in good time before commencement of work. Employees' identity documents must not be withheld, manipulated, or destroyed.

3.5. Occupational Health and Safety

Safety is a core value for Berry. Suppliers must have work practices and engage in reasonable diligence to provide a healthy, safe, and clean work environment free from generally recognized hazards and in compliance with all applicable international, national and local laws. This must include, as a minimum, a workplace with appropriate protection from exposure to hazardous materials, the provision of safety equipment (as needed and free of charge), training appropriate to the task and access to potable water of good quality as well as adequate, accessible, and clean sanitation facilities. The requirements of the applicable ILO Conventions must be observed (e.g., ILO Convention No. 155, see Appendix).

Suppliers must assign the responsibility for health and safety to a senior management representative. Suppliers must carry out regular risk assessments and provide regular health and safety training to workers and management. Suppliers must provide access to adequate medical assistance and facilities.

At the request of Berry, suppliers will consider introducing and operating an effective, certified occupational health and safety (OHS) management system pursuant to ISO 45001 (or similar) and take suitable measures to achieve the objectives of an OHS management system.

3.6. Working and Living Conditions

Suppliers should not provide false information regarding working conditions, including salaries and additional benefits, the working location, living conditions, the level of hazard that the work involves, or accommodation and the associated costs (if the employer or intermediary provides or arranges accommodation). Any accommodation provided must fulfill at least the standard of the respective country.

3.7. Freedom of Association and Collective Bargaining

Suppliers must respect the right of employees to form and join organizations of their own choosing (such as trade unions) and to engage in collective bargaining. Suppliers should not retaliate or discriminate against any employee who exercises these rights. Trade unions are to be allowed to operate freely and in accordance with applicable local laws. This includes the right to collective bargaining for the settlement of disputes about working conditions and the right to

strike within the framework of statutory provisions and in accordance with ILO Convention No. 98 (see Appendix) and other applicable international, national, and state laws.

3.8. Land Rights

Berry observes all applicable local, national, international, and traditional rights to land, water, and resources. Indigenous and local community rights are respected, promoted, and protected. Suppliers should refrain from any unlawful eviction from and any unlawful deprivation of land, forests, and waters through acquisition, development, or other use.

3.9. Fair Disciplinary Practices

In addition to requiring suppliers to comply with mandatory local obligations, Berry encourages Suppliers to promote constructive and transparent dialog between employees, their representatives, and management when managing employee performance and when handling internal conflicts and grievances.

3.10. Supplier Diversity

Berry believes in the value of diversity and is committed to actively creating an environment where each team member feels empowered to learn, grow, and maximize his/her personal contribution. Celebrating the similarities and difference that shape each of us will continue to encourage innovative thinking and drive the kind of sustainable, competitive advantage that will help us grow and prosper for decades to come. We expect our Suppliers to be inclusive and ensure that their employees, workers, consultants, agents, and other stakeholders are always treated with dignity and respect.

Berry is committed to supporting economic development efforts with diverse suppliers to the extent that jobs may be provided, entrepreneurship may be advanced and useful goods and services may be produced at competitive prices. We expect our suppliers to adhere to similar principles and support and develop supplier diversity programs within their organizations. As required, Suppliers will provide related data to Berry to the fullest extent permitted by local data privacy law.

4. Business Integrity

Berry maintains a high standard of business ethics, as confirmed in our Global Code of Business Ethics and other policies referenced in the Appendix. Acting responsibly and in accordance with the law forms an integral part of our corporate values. We expect our suppliers to comply with all legal requirements that apply to their product and business operations, including those of corruption, antitrust and competition law, money laundering prevention, export control, and privacy and data protection. Berry expects that Suppliers communicate the requirements of this Code to their sub-contractors/ suppliers and requests that the information is shared with their suppliers and other third parties.

4.1. Anti-Bribery/Anti-Corruption

Berry has a zero-tolerance approach to any form of bribery or corruption (see Appendix for a link to our Global Anti-Bribery and Corruption Policy). We expect suppliers to adopt the same approach. Suppliers are prohibited from offering, promising, giving, requesting, or accepting improper payments (a bribe, 'kickback', or anything of value) directly or through others in an

attempt to improperly gain or retain business or influence a decision. This includes prohibiting 'facilitation payments', i.e., any form of unofficial payment to government officials to facilitate or expedite the timing of activities that the government official is required to perform in relation to business activities conducted for or on behalf of Berry.

Suppliers must ensure their employees, officers, suppliers and representatives do not offer, promise, or grant advantages to associates of Berry or third parties with the aim of obtaining a contract or other preferential treatment.

Any conduct that gives the impression of business decisions being influenced in an impermissible manner is prohibited.

Suppliers should comply with applicable anti-bribery and anti-corruption laws, although if no such laws apply or are of a lesser standard to those prescribed in the US Foreign Corrupt Practices Act 1977 (as amended), France's Sapin II and the UK Bribery Act 2010, suppliers should adhere to these rules of one of the US, France or UK regimes. Suppliers are required to have, and periodically review, anti-bribery and corruption procedures, including processes for monitoring and implementing standards to ensure compliance with anti-corruption laws.

4.2. Third Party Due Diligence

Suppliers should implement due diligence compliance practices to appropriately screen employees, customers, suppliers, agents, and other business associates to ensure compliance with applicable laws, including with respect to embargoes and sanctions as further outlined below in Section 4.10 (Trade Compliance) and emerging laws on supply chains.

4.3. Accurate Books and Records

Suppliers must maintain up-to-date, accurate, and complete books and records related to their business activities with Berry. Suppliers must not knowingly make any false or misleading entries in their books and records.

4.4. Insider Trading

Suppliers are strictly prohibited from violating insider dealing laws. Suppliers must not buy or sell securities such as stock or shares of a company based on information that is not publicly available. Similarly, providing such inside information to any other person who buys or sells securities is prohibited.

4.5. Fair Competition

Berry expects all suppliers to be committed to a fair and competitive free market and to act in accordance with the letter and in the spirit of all applicable antitrust and competition laws. For example, suppliers must not collude with competitors to fix prices, rig bids, allocate customers or markets, or exchange current, recent, or future information that is commercially sensitive. A supplier who has any reason to suspect anti-competitive activities must report such a concern via Berry's Ethics Helpline at berryglobal.com.

4.6. Gifts, Entertainment and Hospitality

Berry believes it is never acceptable, no matter the value, to give or receive gifts that influence, are intended to influence, or have the appearance of influencing, a business decision. Suppliers

must only offer or accept gifts, meals, or entertainment that are reasonable, directly related to a proper business purpose, and in compliance with all applicable anti-bribery laws. Cash or cash equivalents are not permissible. Any offer or provision of a gift, entertainment or hospitality to one of our employees during an open bidding process in which a supplier is involved is strictly prohibited. If there is any doubt with respect to what suppliers or employees may or may not offer or receive with respect to gifts, entertainment and hospitality, do not hesitate to contact Berry for clarification.

4.7. Conflicts of Interest

Suppliers must avoid any activity that creates a conflict of interest or the appearance of a conflict of interest in connection with their work with Berry. This includes conflicts of interest that may result from financial interests, directorships, personal relationships, business opportunities, or use of confidential information. Any supplier who becomes aware of a potential or actual conflict of interest must take internal measures to remedy this conflict and notify Berry without delay.

4.8. Conflict Minerals

Conflict minerals (tin, tungsten, tantalum, and gold) are of increasing regulatory focus and Berry expects full cooperation from suppliers as new laws in different jurisdictions take effect. Berry recognizes the importance of not financing armed groups and human rights abuses through sourcing and trading minerals from conflict-affected areas and expects the same vigilance from its suppliers.

Berry is required by law to track the use of conflict minerals (see Appendix for a link to Berry's Conflict Minerals Policy). We strive to only use raw materials whose extraction, production, transport, trade, processing, and export do not (directly or indirectly) contribute to human rights abuses, health and safety issues, environmental pollution, or compliance breaches. Berry expects its suppliers to establish special due diligence processes in accordance with the 'OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict Affected and High-Risk Areas' (see Appendix) for the raw materials from conflict-affected and high-risk areas such as the Democratic Republic of the Congo (DRC). We expect suppliers to have eliminated smelting and refining operations that lack adequate and audited due diligence procedures.

On an ad hoc and on-demand basis, we may require suppliers to provide us with information about their supply chain for these materials, as well as other critical raw materials including information as to origin.

4.9. Anti-Money Laundering

Suppliers are required to fulfill their legal responsibilities to combat money laundering and the funding of terrorism, and to refrain from participating or permitting activities connected with money laundering and the funding of terrorism. Suppliers must also properly fulfill their reporting obligations in this regard.

4.10. Trade Compliance (Economic Sanctions / C-TPAT / Country of Origin)

Suppliers must comply with all national and international customs and export control regulations, including applicable laws and directives for import, export, trade, brokering, and financing transactions, services, and the forwarding of goods (material goods, software, and technology).

U.S. anti-boycott laws prohibit Berry and our foreign affiliates from participating in or cooperating with foreign boycotts not sanctioned by the United States.

No material or service should be provided directly or indirectly to Berry from a country, person, or entity that is subject to U.S. economic sanctions or restrictions or any sanctions or restrictions applicable where they operate.

Countries and bodies that maintain consolidated lists of financial sanctions targets include the United Nations, United States, the European Union, Canada, the United Kingdom, and Japan.

Berry expects its suppliers to ensure through suitable processes that business transactions and activities with both third parties and with Berry do not contravene export control and sanctions law and to immediately provide any verifications and information required. Suppliers should implement due diligence compliance practices to appropriately screen their employees, customers, suppliers, distributors, agents, and other business associates, including all parties in each transaction such as banks, insurance companies, shipping lines, and freight forwarders, to ensure compliance with applicable laws and regulations concerning embargoes, export controls, and international economic sanctions.

Suppliers must ensure that Berry is informed in a timely manner about any export control restrictions which apply to any goods supplied to Berry.

Suppliers must comply with the trade regulation laws of the country or legal subdivision in which they operate or from which they supply any goods to or from Berry, and in all cases, ensure compliance with U.S. economic sanctions as Berry is a "U.S. person" as defined in the OFAC regulations, including all U.S. citizens and permanent resident aliens regardless of where they are located, and all persons and entities within the United States, all U.S. incorporated entities and their foreign branches.

4.11. Social Media

Social media platforms (including Facebook, LinkedIn, X and all other social networking sites) can be a useful way of promoting business profiles and activities. However, where use purports to be on behalf of Berry, Berry expects it to be conducted responsibly and to be consistent with Berry's corporate values.

Any use of social media should avoid any manner of communication that could be detrimental to Berry's business interests or reputation, whether directly or indirectly.

Suppliers must take steps to ensure that social media is not used to publish any commercially sensitive information, including anything that relates to Berry's business performance, trade secrets, intellectual property, or confidential information. This includes any use of Berry's logos or trademarks without prior consent.

Suppliers should take steps to ensure that no member of their staff purports to make any statement or comment on behalf of Berry unless agreed in writing and that, where any affiliation with Berry's business is disclosed, any views expressed are stated to belong only to the individual making the statement. Any request for comment in relation to Berry's organization or business should be promptly directed to Berry.

5. Product Quality and Safety

Berry is dedicated to ensuring every product it markets is of high-quality and can be used safely. Suppliers should ensure that all products and materials are of a high-quality that meet the requirements and specifications agreed with Berry. Suppliers should have and maintain appropriate Quality Management and Product Safety Management systems.

Suppliers will supply all products in discrete batches, clearly labeled in conformance with purchase order requirements. All records will be maintained so that batch traceability can be achieved for a period of at least seven years (and longer as required by applicable laws).

Suppliers should supply Berry with all required information to accompany a product or material (including where applicable a Certificate of Conformance, Certificate of Analysis, and/or Safety Data Sheets) for each batch indicating conformance to specifications. Additional product/material information and data should be provided upon request.

Suppliers must report any quality issues, quality concerns, or quality non-conformities concerning products or materials that are supplied to Berry promptly to Berry following detection of the concern, or non-conformity. Suppliers will engage to timeously provide Berry with further information as regards the cause and corrective action for any confirmed product quality event.

6. Risk Management

We expect suppliers to align their business with the principles of this Code and address them in their supply chain risk management.

6.1. Risk Assessment

Berry expects suppliers to have risk assessments and due diligence processes with appropriate measures to ensure that they and their respective subcontractors comply with the standards and principles of the Code. Suppliers should be prepared to provide details of business and supply chain risks to Berry upon request, so that material, commercial, and operational risks, can be mitigated.

6.2. Emergency Response Plan

Suppliers should identify potential emergency situations, implement preventative measures, and be prepared to execute emergency response plans. A systematic approach to environmental protection is expected, and suppliers of production materials should have an Environmental Management System that is periodically reviewed to ensure that opportunities and risks, objectives and targets are updated, and that the system is operated by competent personnel to ensure that environmental impacts (e.g., from energy and water use, wastewater, air/noise/sound emissions, waste, and hazardous substances) are systematically identified and analyzed.

As a minimum, suppliers should ensure the required emergency response plan addresses the following requirements: prevention, mitigation, preparedness, response, and recovery. Suppliers will train employees and contractors in emergency procedures and work should not resume after an emergency if danger remains.

6.3. Third Party Risk Management

Suppliers should implement an appropriate and effective management system for corporate due diligence towards people and the environment in their organization.

7. Sustainability

7.1. Commitment to Sustainability

For Berry, sustainability encompasses care for the environment and care for our employees and communities.

Suppliers must work to reduce the environmental impacts of their operations including their natural resource consumption, material sourcing, waste generation, wastewater discharges, and air emissions. Where suppliers use natural resources (such as water, raw materials and energy) in their procurement and production processes, these must be used in a conscious and economical manner. Suppliers must employ efficient and technologically innovative solutions for the use of energy resources, production resources and water in their product procurement and production processes and minimize the generation of waste.

Berry also expects its direct suppliers to require their own supply chains to conduct their operations in an environmentally sensitive and sustainable manner, to provide secure secondary resources and assess their use of secondary resources as much as practicable.

Berry has set ambitious targets as part of its commitment to sustainability. As such, Berry prefers to work with suppliers who are committed to helping us increase the use of recyclable materials and who also work to grow the circular economy.

We expect our suppliers to support these efforts, and suppliers must provide data and information about their own environmental impact, health and safety, governance and societal contribution, including where necessary to enable Berry to fulfil regulatory reporting obligations.

7.2. Energy Efficiency

Suppliers should ensure that energy is used efficiently and work towards optimization of energy use. Suppliers are expected to put in place systems for tracking and documenting their energy consumption, and such information shall be made available to Berry on request. Suppliers are encouraged to consider transitioning to clean energy sources wherever possible.

7.3. Waste

Waste should be eliminated as far as possible, and minimized through processes and measures (e.g., through changing production or maintenance procedures or processes), using alternative materials, through economizing, or through the reuse of materials. Waste that is generated should be recycled where possible or recovered.

Suppliers will establish and maintain appropriate waste management systems and procedures to ensure waste is correctly classified and that it is properly collected, stored, treated, and disposed of. Suppliers must ensure that there is no illegal management or disposal of waste.

7.4. Wastewater

Suppliers should measure, monitor, test, and treat any wastewater from their operating procedures, production processes and sanitation facilities as needed, before being discharged. Wastewater quality will be defined and monitored in accordance with the applicable statutory

and regulatory requirements. Suppliers are expected to introduce measures to reduce the generation of wastewater.

To prevent water pollution, suppliers are expected to assess the environmental impact of discharges and soil contamination and implement appropriate organizational and technical safeguards.

7.5. Air Quality

Suppliers must comply with all applicable statutory provisions and requirements of the relevant authorities regarding air quality. Before being released into the environment, general emissions from operating procedures and greenhouse gas emissions are to be measured, routinely monitored, and treated as needed. Suppliers must monitor and record their emissions treatment systems and find cost-effective solutions for minimizing all emissions.

7.6. Environmental Compliance and Permits

Suppliers must follow all national and international environmental standards and laws applicable to their business. Suppliers will ensure that their production processes, materials, substances and finished products used in their production comply with applicable environmental regulations and any additional or supplementary environmental standards notified to suppliers by Berry. Suppliers must have all applicable environmental licenses, permits and registrations for their activities. Permits and registrations will be maintained, kept current, and made available to Berry for inspection on request.

Suppliers will prevent accidental releases of hazardous materials into the environment and adverse environmental impacts on the local community. They will systematically identify environmental risks in the production process and in the upstream supply chain, and take appropriate action to avoid and, where demonstrably unavoidable, reduce the potential for environmental harm.

In addition, Berry expects its suppliers to make ongoing efforts to minimize environmental impacts and risks and to improve environmental performance in the areas in which they have control.

7.7. Climate Change

We expect suppliers to ensure transparency about their own direct and indirect greenhouse gas (GHG) emissions and to set ambitious GHG reduction targets, including targets that are applicable to their supply chain.

Suppliers must take measures to help achieve the goals of the Paris Agreement. Suppliers must follow the principles of avoidance and reduction. Suppliers should also use offsetting (provided the chosen offsetting scheme is genuine and of good repute) in order to reduce their CO₂ emissions. These may involve the use of green electricity and the use of secondary materials or biomaterials. For Berry, the reduction of CO₂ emissions is a key criterion in the process of selecting suppliers.

7.8. Formalized Environmental Policy

Berry makes every effort to minimize risks to human health and the environment and to protect our natural resources. Sustainability and environmental protection are central to Berry's values

and conduct. For Berry, environmental responsibility means protecting nature's finite resources. Therefore, Berry is committed to using natural resources in a careful and efficient manner.

Suppliers will implement and operate a formalized environmental policy that, as a minimum, will cover:

- the environmental objectives and principles the supplier follows when managing possible impacts on the environment and aspects of their operations.
- any voluntary environmental targets that the supplier aims to achieve.
- a commitment to minimizing resource consumption (energy, water, raw and/or primary materials) and environmental impacts (emissions, pollutants, waste), and to improve environmental performance in the areas in which the supplier has control.

Suppliers will undertake regular reviews of their environmental policy and be prepared to update it to reflect changes in methodologies, performance, or evolving legal requirements.

Suppliers will make every effort to integrate the environmental policy into their business and will include consideration of environmental issues at management meetings.

7.9. Biodiversity and Ecosystems

Biodiversity is the variety of plant and animal life in the world or in a particular habitat, a high level of which is usually considered to be important and desirable. It follows that Berry is committed to the prevention of deforestation and the loss of natural ecosystems in supply chains. We expect suppliers to protect natural ecosystems and not to contribute to the alteration, deforestation, or degradation of natural forests and other natural ecosystems. Our preferred suppliers are those whose land and forestry operations adhere to the principles of certified sustainable agriculture and forestry.

7.10. Operation Clean Sweep (OCS) - Plastics' Resin Loss Initiative (applicable to resin suppliers)

While the loss of plastics pellets into the environment is unacceptable, Berry recognizes that, despite our suppliers and our best efforts and quality management controls, this can unfortunately occur at stages along the value chain. Suppliers are expected to adhere to the Operation Clean Sweep (OCS) program that was developed to help companies tackle pellet leakage by providing a series of key recommendations and tools as well as comply with any applicable regulatory requirements.

8. Information Security

8.1. Cybersecurity

In addition to measures suppliers may be obliged to provide under their terms of engagement, suppliers will implement appropriate technical, physical, and organizational measures to ensure a level of security that is proportionate to the risks involved, and which meets the obligations under all applicable laws, and provides no less protection than suppliers provide to their own confidential, proprietary, or personal information. This includes, as a minimum, ensuring the adequacy of controls designed to identify, prevent, and mitigate prevailing threats to data security.

Without affecting obligations under applicable agreements, suppliers will have appropriate compliance controls (including policies and procedures) to adequately address any data security

incidents that are identified as part of its security threat detection and prevention systems. This includes notifying Berry of any such security incidents and ensuring that any reporting deadlines (whether applicable by virtue of contract or law) are observed and that adequate steps are taken, including through the provision of adequate information, to ensure that both supplier and Berry can comply with applicable legal obligations, including under breach reporting statutes.

8.2. Data Privacy and Protection

Suppliers are expected to address and integrate data privacy considerations within their overall compliance framework.

Suppliers should assess and understand what personal information is processed and what legal obligations apply under applicable data protection and privacy laws. They should actively seek to limit the amount of personal data that is collected and stored by reference to specific processing purposes.

Where required under applicable privacy laws, suppliers should have a valid legal basis to process personal data which can be demonstrated upon request.

Additional compliance controls must be implemented for more sensitive personal data, as defined by and required with applicable privacy and security laws, to safeguard against any additional risk to the individuals concerned.

Suppliers must ensure processing notices legally required to be given to individuals are provided and that contractual terms mandated under applicable privacy laws and/or other contractual obligations are in place. Suppliers will comply with applicable privacy laws related to restricted international transfers of personal data. They should ensure that they conduct transfer risk assessments as well as ensuring that additional safeguards (including additional contractual safeguards such as EU Standard Contractual Clauses) are in place.

If individuals are entitled to fundamental privacy rights under an applicable legal framework (including, for example, under the EU / UK GDPR) then suppliers will ensure that they comply with any statutory requests that are received in connection with the exercise of such rights. Where such requests relate to Berry employees or are connected to the suppliers' business relationship with Berry, they will notify Berry that they have received such requests, and they will coordinate with Berry before responding.

8.3. Confidential and Proprietary Information

Suppliers will respect and safeguard Berry's intellectual property rights (which include, without limitation, patents, copyrights, trademarks, domain names, rights in passing off and design rights). Suppliers will not disclose any confidential information or trade secrets they acquire through their dealings with Berry to any third party without Berry's prior consent unless disclosure is mandated by applicable laws or court order. Suppliers shall use any confidential information or trade secret only in meeting their agreements with Berry. Suppliers shall not infringe or try to infringe Berry's intellectual property in any way.

9. Code Implementation and Monitoring

We expect suppliers to assist Berry in identifying and mitigating any relevant intellectual property infringement risks, and support our commitment to work towards compliance to this

Code by ensuring they and their employees understand the Code requirements and principles and that these are communicated through their supply chains, going to source if needed.

9.1. Rights to Monitor and Audit

Upon request, suppliers will fully and accurately engage with Berry and answer any questions regarding compliance with any and all standards, expectations, and requirements of this Code. Suppliers will also provide information and documentation upon request and will designate a contact person for all inquiries.

Suppliers will allow Berry to conduct quality and compliance inspections and audits at their facilities, production sites, and at other such locations as necessary during normal business hours and with sufficient advance notice, to ensure compliance in relation to the supplier's products/services and this Code.

Suppliers will cooperate with and actively support any document or information requests, inspection or audit or compliance checks pertaining to personnel, facilities, records, and control documents relevant to the supply of products, raw materials or services to Berry.

Berry may use standardized self-assessment questionnaires as another means to review compliance with the Code, including as part of a broader supplier assessment. Suppliers will cooperate in responding to such self-assessment questionnaires.

Berry reserves the right to conduct risk analysis throughout suppliers' supply chains.

Suppliers will respond to inquiries and requests for information within a reasonable timeframe and in compliance with the formalities specified by applicable data protection laws.

Audits, inspections, compliance checks and other review activities mentioned above may be performed by Berry internal assessors or auditors, or by third parties or advisors engaged by Berry for this purpose. The provisions above will apply equally to suppliers' dealings with such third parties engaged by Berry.

9.2. Speaking Up and Raising Concerns

If a supplier becomes aware of any violation of this Code within their organization or their supply chain, they should take immediate appropriate remedial action. Berry should be informed immediately of any confirmed violations of the obligations arising from this Code and of any official investigation procedure in this regard. If it is not possible for a supplier to cease such violations within the foreseeable future, suppliers must immediately prepare and execute a plan to stop or minimize such breaches, which includes a specific time schedule. Actions taken must be documented and reviewed for effectiveness. In the event of a suspected breach, suppliers should immediately investigate the potential violations and inform Berry of the measures taken to resolve the matter. Suppliers must not retaliate against individuals who in good faith report known or reasonably suspected violations of the law or this Code.

Berry maintains an independent Ethics Helpline service for raising concerns with Berry, which can be used by any third party supplier or stakeholder, as well as our employees. This Helpline is available on a global basis with options to engage online or over the phone, with the phonelines staffed with native speakers. Those accessing the Helpline will have the option to remain anonymous. To access the Helpline please use this [link](#) which can also be accessed at

the following web address:

<https://secure.ethicspoint.com/domain/media/en/gui/39248/index.html>.

9.3. Demonstrate Compliance with Code and Enforcement of Code

If Berry identifies any violation of this Code, it may notify the supplier of this and specify an appropriate deadline by which remedial action to comply is required. If a supplier fails to comply with the Code or to remediate by the specified deadline, or if the breach of the Code is so severe that Berry cannot reasonably be expected to continue the business relationship, Berry reserves the right – without prejudice to any other rights – to terminate the relationship without prior notice and to rescind any associated contracts or agreements.

9.4. Supplier Acknowledgement

As Berry’s supplier, we act according to the ethical and legal principles and standards defined in this Code. These requirements are also passed on by us within our supply chain.

We hereby acknowledge Berry’s Code and confirm that we will comply with the principles and requirements of the Code by adopting the Code into our organization or by applying an internal, equivalent code of our own (with no lesser requirements than in the Code) within our organization.

This acknowledgment supplements any existing supply contract between us, and Berry relating to supplied goods and/or services and is deemed to be incorporated into such contract. To the extent anything in this acknowledgement conflicts with the provisions of any other contract between us and Berry, the provisions of this acknowledgement will take precedence. All non-conflicting provisions of any prior written contract the term of which has not expired will continue in full force and effect.

The person signing below is duly authorized to bind the supplier.

By (signature):

Name (print):

Title:

Company:

Address:

Country:

Date:

Supplier signature or digital signature/authentication is required

Please return this completed page to your Berry contact

Appendix

Berry's Global Code of Business Ethics and other **Ethical Compliance Policies**, including our **Global Human Rights Policy**, **Global Anti-Bribery and Corruption Policy** and our **Conflict Minerals Policy** can be found here:

- <https://www.berryglobal.com/en/sustainability/sustainability-strategy/ethics-compliance-program>

International Standards and Laws:

- United Nations Universal Declaration of Human Rights
<https://www.un.org/sites/un2.un.org/files/2021/03/udhr.pdf>
- United Nations Guiding Principles on Business and Human Rights
https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf
- United Nations Sustainable Development Goals
www.un.org/sustainabledevelopment/sustainable-development-goals/
- United Nations Global Compact
<https://unglobalcompact.org/what-is-gc/mission/principles>
- OECD Guidelines for Multinational Enterprises on Responsible Business Conduct
https://www.oecd-ilibrary.org/finance-and-investment/oecd-guidelines-for-multinational-enterprises-on-responsible-business-conduct_81f92357-en
- International Bill of Human Rights
<https://www.ohchr.org/en/what-are-human-rights/international-bill-human-rights>
- ILO Declaration on Fundamental Principles and Rights at Work
<https://www.ilo.org/declaration/lang--en/index.htm>
- ILO Recommendation No. 203
[Recommendation R203 - Forced Labor \(Supplementary Measures\) Recommendation, 2014 \(No. 203\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 182
[Convention C182 - Worst Forms of Child Labor Convention, 1999 \(No. 182\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 183
[Convention C183 - Maternity Protection Convention, 2000 \(No. 183\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 138
[Convention C138 - Minimum Age Convention, 1973 \(No. 138\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 1
[Convention C001 - Hours of Work \(Industry\) Convention, 1919 \(No. 1\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 14
[Convention C014 - Weekly Rest \(Industry\) Convention, 1921 \(No. 14\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 26
[Convention C026 - Minimum Wage-Fixing Machinery Convention, 1928 \(No. 26\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 131
[Convention C131 - Minimum Wage Fixing Convention, 1970 \(No. 131\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 98
[Convention C098 - Right to Organize and Collective Bargaining Convention, 1949 \(No. 98\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 111
[Convention C111 - Discrimination \(Employment and Occupation\) Convention, 1958 \(No. 111\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 159
[Convention C159 - Vocational Rehabilitation and Employment \(Disabled Persons\) Convention, 1983 \(No. 159\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- ILO Convention No. 155
[Convention C155 - Occupational Safety and Health Convention, 1981 \(No. 155\) \(ilo.org\)](https://www.ilo.org/public/eng/declaration/lang--en/index.htm)
- German Animal Welfare Act (TierSchG)
[TierSchG - Tierschutzgesetz \(gesetze-im-internet.de\)](https://www.gesetze-im-internet.de/tierschutzgesetz/)
- EU Directive 2010/63
[EUR-Lex - 32010L0063 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010L0063)
- OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas
<https://www.oecd.org/daf/inv/mne/OECD-Due-Diligence-Guidance-Minerals-Edition3.pdf>
- Regulation (EC) No. 1221/2009
[EUR-Lex - 32009R1221 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1221)
- Minamata Convention
https://www.bvl.bund.de/EN/Tasks/04_Plant_protection_products/03_Applicants/13_LegalRegulations/03_InternationalAgreements/06_Minamata/ppp_intern_agreements_Minamata_node.html
- Stockholm Convention on Persistent Organic Pollutants
https://www.bvl.bund.de/EN/Tasks/04_Plant_protection_products/03_Applicants/13_LegalRegulations/03_InternationalAgreements/03_POP_Stockholm/ppp_intern_agreements_POPs_node.html?cms_thema=Stockholm+Convention
- Basel Convention
https://www.bvl.bund.de/EN/Tasks/04_Plant_protection_products/03_Applicants/13_LegalRegulations/03_InternationalAgreements/04_Basel/ppp_intern_agreements_Basel_node.html?cms_thema=Basel+Convention
- EU REACH Regulation (EC) No. 1907/2006
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32006R1907>