



## POLICY STATEMENT ON THE GERMAN SUPPLY CHAIN DUE DILIGENCE ACT (LkSG)

### **I. Our commitment to human rights**

Berry Global German Holdings GmbH and its German affiliates (hereinafter collectively “**Berry Germany**” or “**we**”), which are part of the Berry Global Group, Inc. (hereinafter referred to as “**Berry Global**”) group of companies, are committed to ensuring that human rights are respected and upheld throughout the supply chain. We do not tolerate human rights abuses and are committed to preventing and, where necessary, mitigating and remediating any adverse human rights impacts throughout the value chain.

The protection of human rights and the environment is not only reflected in our corporate culture, but is also taken into account in Berry Global’s sustainability strategies and group-wide regulations. We attach great importance to responsible corporate governance and are committed to Berry Global’s group-wide regulations and international guidelines.

With this policy statement, we are supplementing Berry Global’s **Global Human Rights Policy** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>) with the specific requirements resulting from the German Supply Chain Due Diligence Act (in German “Lieferkettensorgfaltspflichtengesetz” hereinafter referred to as “**LkSG**”), which came into force on January 1, 2023. The standards that we have developed and communicate on an ongoing basis to identify and avoid human rights and environmental risks in our own business and in our supply chain in accordance with the LkSG are described below. This policy statement applies to all German affiliates of Berry Global German Holdings GmbH that fall within the scope of the LkSG.

### **II. Our understanding of human rights and environmental due diligence obligations**

Berry Germany, subject to the LkSG, complies with all applicable laws and regulations that serve to protect human rights and provide for due diligence obligations along the supply chain.

As we consider the protection of human rights and the environment to be a central part of our corporate responsibility, we are committed to our responsibility to respect internationally recognized human rights and to uphold them in our business activities and along our value chains. This includes, in particular, the prohibition of child labor and forced labor as well as discrimination, compliance with freedom of association, the creation of fair and appropriate working conditions, health and safety in the workplace and environmental protection. We also ensure compliance with local labor and human rights regulations at our suppliers’ sites on a risk-based basis.

We are also committed to complying with international standards and frameworks, such as the **UN Guiding Principles on Business and Human Rights** (<https://www.business-human-rights.org/en/big-issues/un-guiding-principles-on-business-human-rights/text-of-the-guiding-principles/>), the **United Nations Declaration of Human Rights (UDHR)** (<https://www.un.org/en/about-us/universal-declaration-of-human-rights>) and the **International Labor Organization (ILO) Declaration on Fundamental Principles and Rights at Work** ([https://www.ilo.org/declaration/thedeclaration/textdeclaration/WCMS\\_716594/lang-en/index.htm](https://www.ilo.org/declaration/thedeclaration/textdeclaration/WCMS_716594/lang-en/index.htm)).

Our implementation of human rights and environmental due diligence is based on the aforementioned international standards and frameworks and is in line with the requirements of the LkSG.

### **III. Our expectations of our suppliers and employees**

Our goal of reducing the risk of and avoiding human rights violations and environmental risks is not only reflected in our corporate guidelines and quality management systems, but is also in line with Berry Global's **Global Human Rights Policy** (available at <https://www.berry-global.com/en/sustainability/sustainability-strategy/policies>) and our commitment to Berry Global's **Modern Slavery Act Statement** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>).

Our expectations of our employees are clearly and comprehensibly set out in Berry Global's **Global Code of Business Ethics** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>). This code of conduct sets out the central guidelines and principles for actions and behavior in our daily work processes and our corporate culture for all employees at both, international and national level.

We expect our suppliers and business partners to comply with the rules is set out in Berry Global's **Supplier Code of Conduct** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>) that they also undertake to comply with our principles and observe social, ethical and ecological standards of conduct in their dealings with their employees, suppliers, customers and other third parties. To this end, they must develop and establish appropriate and effective processes to prevent any risks and violations identified by us and to uncover further potential risks. To ensure this, our contracts with our direct suppliers include regulations on compliance with the principles as well as the obligation to pass these on to indirect suppliers involved in the fulfillment of services. Furthermore, information on how the aforementioned principles are complied with must be provided upon request.

Berry Germany's **environmental management systems** enable us to continuously scrutinize and improve our business processes with regard to their environmental impact.

### **IV. Risk management and analysis**

#### **1. risk management**

Berry Germany has implemented a risk management system in which the responsibilities and procedures for implementing the due diligence obligations are described. Risk management covers the entire process from risk identification, risk analysis and risk assessment through to risk treatment. This process is subject to constant review and ongoing development.

In accordance with the LkSG, Berry Germany's risk management system also takes into account environmental risks that could ultimately have an impact on human rights. This ensures that the applicable environmental regulations are monitored and guaranteed.

Berry Germany also relies on systematic cooperation between different functional areas. Responsibility for the operational implementation of our human rights due diligence processes lies primarily with Berry Global's **Ethics Committee** and subsequently with the relevant specialist managers in the respective group functions, divisions and local units.

Other key components of our human rights strategy for compliance with human rights and environmental due diligence obligations are set out in Berry Global's **Global Code of Business Ethics** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>), Berry Global's **Supplier Code of Conduct** (available at <https://www.berry-global.com/en/sustainability/sustainability-strategy/policies>), and Berry Global's **Environment, Health and Safety Vision Policy** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>).

#### **2. risk analysis**

Berry Germany has updated its processes and documentation for the human rights risk analysis in accordance with the requirements of the LkSG. The result of the risk analysis is regularly communicated to the management of Berry Germany's German affiliates subject to the LkSG.

We carry out risk analyses in our own business area and with regard to our direct suppliers on an annual and ad hoc basis. The aim of these risk analyses is to identify potential human rights and environmental risks in our own business area and across our supplier base. The result of the analysis forms the basis for prioritizing the measures to be taken.

The results of the risk analyses are continuously evaluated and integrated into our internal decision-making and business processes. The risk analysis forms the basis for suitable preventive or corrective measures within our own operating processes and at our direct suppliers.

## **V. Prevention in our own business area and vis-à-vis direct suppliers**

As soon as potential risks are identified in our own business area or at direct suppliers, we implement appropriate preventive measures. The scope and content of the preventive measures depend on the specific risk profile and the assessment of our own company or the direct supplier.

### **1. prevention measures in own business area**

Berry Germany has taken several preventive measures for its own business area, depending on the risks involved. To this end, Berry Germany has not only published this policy statement, but also expects all its employees to adhere to the rules of Berry Global's **Global Code of Business Ethics** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>). We also provide our employees with training on our approach to protecting and respecting human rights and the requirements of the LkSG to raise awareness of human rights and environmental obligations.

As part of Berry Global's group-wide **Environment, Health and Safety Vision Policy** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>) we set occupational safety targets and manage the corresponding measures at an international level. This ensures that our German sites comply with all laws and regulations relating to occupational health and safety.

### **2. preventive measures for direct suppliers**

Our procurement process aims to identify relevant human rights and environmental risks at our suppliers. This applies in particular to suppliers who fall under the applicable supply chain due diligence obligations, including the LkSG. For direct suppliers, the preventive measures depend on the risk profile.

Preventive measures for direct suppliers include, for example, contractual assurances with regard to human rights and the environment. We expect our suppliers to take note of and accept the content of Berry Global's **Supplier Code of Conduct** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>). We use risk-based, appropriate control mechanisms to monitor our suppliers.

If we recognize a justified risk that our suppliers violate our fundamental values and standards, we have the right to immediately suspend or terminate the cooperation with the supplier.

## **VI. Remedial measures**

If a violation of human rights and environmental regulations is identified or if there is a reasonable suspicion that our business activities are causing or contributing to such violations, Berry Germany will immediately take appropriate action to end these violations.

In our own business area, we take appropriate remedial measures to prevent or end violations in the event of reasonable suspicion or concrete evidence of possible human rights and environmental violations.

We expect full cooperation from our suppliers in clarifying and ending possible human rights and environmental violations. In the event of very serious violations, if suitable remedial measures have not been implemented after an agreed implementation period has expired or

if no other milder means are effective, we reserve the right to take appropriate legal action up to and including termination of the business relationship.

## **VII. Complaints procedure**

Berry Global maintains a group-wide complaints system through which, among other things, human rights and certain environmental risks and violations can be reported. This applies in particular to violations of the values set out in Berry Global's **Global Code of Business Ethics** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>) and Berry Global's **Supplier Code of Conduct** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>) values.

Our reporting channels are available to any person, regardless of the existence of a contractual relationship.

In addition, employees and potentially affected persons have the option of contacting their line manager, the HR department, the Ethics & Compliance Team ([compliance@berryglobal.com](mailto:compliance@berryglobal.com)) or the legal department. Berry Global also provides a confidential **Ethics Helpline** (<https://berryglobal.ethicspoint.com>). Notwithstanding the above, the channels of the competent national authorities that are generally accessible to the public are available without restriction.

Berry Global prohibits any form of retaliation for reporting a concern in good faith. This is also ensured by Berry Global's **Non-Retaliation Policy** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>) ensures this.

## **VIII. Documentation and reporting obligations**

We document our measures for the effective implementation of our due diligence obligations under the LkSG on an ongoing basis. The current annual report is submitted to the responsible authorities.

In addition, Berry Global's **Annual Sustainability Reports** (available at <https://berryglobal.com/en/sustainability/sustainability-strategy/how-we-perform>) contain further information.

## **IX. Final provisions**

This policy statement comes into force on the day it is signed and supplements Berry' Global's **Global Human Rights Policy** (available at <https://www.berryglobal.com/en/sustainability/sustainability-strategy/policies>) with the specific requirements resulting from the German Supply Chain Due Diligence Act (LkSG), which came into force on January 1, 2023. This policy statement has been reviewed and approved by the management of Berry Germany's German subsidiaries subject to the LkSG.

Lohne, March 5<sup>th</sup>, 2024

  
Jason Kent Greene  
Managing Director  
Berry Global German Holdings GmbH

  
Mark William Miles  
Managing Director  
Berry Global German Holdings GmbH