



Canned Tuna Brands - Questions on Human Rights in Pacific Tuna Fishing Operations and Supply Chains (2020/21)

* The term 'modern slavery' used in this survey is taken to include forced labour, slavery, human trafficking, servitude, bonded and child labour.

Company: Conga Foods

Canned Tuna Brands: Sole Mare

Human Rights Policy

1.

- a) Since January 2019, has your company introduced any **new** human rights policies to address the risk of **modern slavery*** in its operations or supply chains? Yes / No
If yes, please provide full details and a link.

Conga Foods recognises that modern slavery practices are major violations of human rights and serious crimes, and we will not tolerate any form of slavery or servitude in our operations or supply chains.

Whilst Conga Foods has long been committed to sourcing products in a sustainable and ethical manner, it has recently formalised this commitment via the introduction of our ***Ethical Trading Standards***, which articulate the minimum standards of behaviour that Conga Foods requires its suppliers to meet in the areas of modern slavery, labour and human rights, legal compliance, animal welfare and environmental protection.

Further, and specifically in relation to the risk of modern slavery, Conga Foods also introduced an ***Anti-Slavery Policy***. We are committed to working with our suppliers, contractors, employees, and stakeholders to assess potential areas of risk,

to ensure transparency and to take necessary measures for the prevention of any forms of slavery or human rights offences across our operations and supply chain.

Conga Foods' suppliers have been advised that their adherence to both of our *Ethical Trading Standards* and *Anti-Slavery Policy* are a fundamental condition of doing business with Conga Foods.

- b) Since January 2019, has your company **revised or updated** any of its existing human rights policies to address the risk of modern slavery in its operations or supply chains?

Yes. Our Sole Mare sustainability policy was updated to incorporate both our commitment to FAD (*Fish Aggregating Device*) FREE as well as to update the policy to reflect the company's specific new commitments in regards to modern slavery. Full sustainability policy can be found here:

<http://www.solemare.com.au/sustainability/>

2. Since January 2019, if your company has made a **new** commitment address **modern slavery** does it apply throughout your supply chains?

Yes, our commitments (via our *Anti-Slavery Policy* and *Ethical Trading Standards*) apply to our own operations as well as to our supply chains (extending to our suppliers' own subcontractors and suppliers, so far as it is reasonable and practical to do so).

3. Since January 2019, has your company adopted or revised a responsible sourcing or **supplier code of conduct** that prohibits modern slavery?

Conga Foods has introduced its *Ethical Trading Standards*, agreeance to which is mandatory for all our suppliers. These standards specify that suppliers must not use any type of forced, bonded, involuntary, indentured or illegal labour, nor any type of child labour in any circumstance (having workers younger than the minimum legal working age in their relevant contract or in any instance no younger than 15 years of age).

Human Rights Due Diligence Process

4. Has your company **mapped** its tuna supply chains, in whole or part? Yes / No

Sole Mare ensures that tuna only comes from stock areas that are deemed to be sustainable for the targeted species and use latest ISSF (International Seafood Sustainability Foundation) data to change sourcing zones each year. To improve visibility, our cans are printed with the fishing zone. Our internal auditing system allows for Sole Mare to track any can of tuna down to the individual fishing vessel, fishing zone and period of catch.

5. Does the company source tuna from the **Pacific** region? Yes / No
If yes, provide location (by country).

Primarily our supply partners fish in FAO71 and FAO77 due to our FAD free requirements. These fall within the Pacific region.

6. Since January 2019, has your company adopted, or revised, a human rights due diligence policy, process or procedure to identify, assess and manage human rights risks (actual or potential), including modern slavery, in its operations (and those of its subsidiaries) and supply chains? Yes / No

If yes, please provide details and describe the human rights due diligence process. **Key steps include:** (i) identifying and assessing human rights impacts; (ii) integrating and acting on assessment findings; (iii) tracking the effectiveness of the company's response; and (iv) communicating externally about how the company is addressing its human rights impacts.

Conga Foods' human rights due diligence is multi-tiered and encompasses numerous processes and procedures. Within its own operations Conga Foods has various policies, guidelines and codes of conducts which sets out expected behaviours and rights and the company provides training therein (both internally and externally conducted) for Directors, officers and employees to ensure human right breaches can be identified and therefore acted upon. Revision of such human rights due diligence has occurred in the past 12 – 18 months including the introduction of the *Anti-Slavery Policy, Ethical Trading*

Standards, the Whistle-blower Policy and revision of other existing policies and procedures to specifically address human rights risks including modern slavery – such as, but not limited to, the revision of our *Code of Conduct, Recruitment Policy* and *Approved Supplier Program*.

Conga Foods also has also introduced and/or updated various reporting processes such as its *Modern Slavery Incident Reporting* and *Grievance and Complaints Procedure* to ensure that suspected breaches of human rights or other matters are appropriately and safely reported and acted upon in a timely manner. The Board of Directors are regularly updated as to any reported incidents.

Our policies, procedures and reporting mechanisms are available to all employees electronically and in hard copy in each of our office location. A number of our policies concerning human rights are communicated externally via publication on our company and own-brand websites.

In terms of ensuring human rights are being respected within Conga Foods' supply chains, we ensure all our supply partners meet International standards for business ethics and labour code of conduct. Conga Foods undertakes an audit of its suppliers via completion of self-assessed questionnaire together with the provision of supporting documentation (such as valid, up-to-date policies and third-party audits). We only source Tuna from supply partners who are SEDEX members.

In terms of tuna products specifically, we also offer consumers the opportunity to track the origins of each tin of our Tuna products via our Sole Mare website.

7. Since January 2019, has your company taken **practical action** to ensure that modern slavery does not occur in your company's (or its subsidiaries') operations and supply chains for tuna procurement from the Pacific? If yes, please describe.

Examples might include:

- i) *training* staff and management, workers, suppliers or business partners about rights, risks, responsibilities and remediation;

- ii) *engaging* with NGOs, fishers/ their representatives (including unions) and policy-makers;
- iii) cascading *contractual* clauses in supply agreements;
- iv) digital *traceability* of fish (across entire supply chain, or part only);
- v) prohibition on *recruitment fees*;
- vi) protective measures to protect against exploitation of *migrant* fishers;
- vii) prohibition on sourcing from suppliers that *transship* at sea, or use *flags of convenience*;
- viii) ensuring *freedom of association* and collective bargaining by fishers/ their representatives (including unions);
- ix) oversight of *recruitment* or labour hire entities; and
- x) independent supply chain *auditing*.

Please provide details.

Conga Foods is committed to taking practical action to support our policies. Specifically:

- All company Directors and employees have undergone internal training on Modern Slavery and Directors and senior management have also completed further education conducted by an accredited third party. Further, all supply partners have been educated about modern slavery generally, and more specifically about the introduction of the *Modern Slavery Act 2018* in Australia, including the rights, risks, responsibilities and remediation relating to same;
- Conga Foods has committed to including clauses in any new supply agreements that specifically prohibits modern slavery and further has obtained acceptance of the principles and policies on business ethics and labour practices specified in its *Ethical Trading Standards* and *Anti-Slavery Policy* by its existing supply partners as a requirement for a continued trading relationship;
- Consumers of our tuna products can track the origins of each tin via the Sole Mare website; Our internal auditing system further allows for the traceability of any can of tuna down to the individual fishing vessel and flag, fishing zone, batch and period of catch.
- Conga Foods specifically prohibits recruitment fees in its own operations as well as in the operations of its suppliers;

- Our tuna supply partners are independently audited and provide Conga Foods with up-to-date, third-party audit reports annually. Our tuna supply partners also have ethical migrant recruitment policies and/or effective management systems in place to identify and monitor the hiring and management of all migrant workers.
- Conga Foods condemns the use of transshipments of tuna at sea and unregistered illegal fishing activities. We will not purchase from suppliers who source from vessels that have been listed on any official blacklist and ensures that all vessels are compliant under EUCC (European Catch Certificate) or US Fisheries Certificate of Origin.

8. If the company has taken steps to identify and address human rights risks, how does it (a) **prioritise** which risks to address first; and (b) assess and track the **effectiveness** of its actions and response?

Conga Foods considers the originating location of its supply partners and the industry in which they operate in order to prioritise which risk to address first. The assessment of various risks associated with countries and industries is made by referring to publicly available data sources such as the *Global Slavery Index* and *International Labour Organisation*.

The parts of our supply chain that are considered at higher risk may be required to provide additional information or documentation and/or be subject to in-person site visits (once travel is again permitted after the current COVID-19 challenge has subsided).

Regardless of whether suspected incidents occur in our own operation or those of our suppliers, a written report setting out any investigation of the suspected incident, summary of the evidence and any associated remediation, where an incident is found to have occurred, is to be provided to the company CEO. Reports on the number and type of Modern Slavery incident (suspected or confirmed) are provided regularly to company's Board of Directors, together with updates on results of supplier audits.

Grievance Mechanism

9. Since January 2019, per the [UN Guiding Principles on Business and Human Rights](#), has your company adopted, or made changes to improve, a **grievance/ complaints mechanism** through which workers, including fishers in your supply chains, can raise concerns about human rights? Yes / No

If so, can they access this in their own language and in a way that allows grievances, or concerns, to be reported safely, in confidence and without intimidation? Have any human rights concerns connected with the Pacific tuna sector been reported via your company's complaints mechanism? Please provide details.

Conga Foods has introduced its *Whistle-blower Policy* which allows employees (of any term or type), associates, suppliers (including their employees, contractors, consultants, service providers and business partners), consultants, or a relative, dependant or spouse of any of the above individuals, to report a suspected concern regarding human rights (or other such grievances). The procedure allows the grievance or complaint to be reported safely and in confidence.

No human rights concerns connected with the Pacific tuna sector has been reported via our company's complaints mechanism.

10. Since January 2019, have you introduced a corrective or **remediation plan** if instances of modern slavery are identified in your operations, or supply chains? Can you describe it?

In the unfortunate event our company suspects the occurrence of a human right breach, such as modern slavery, we will engage with the supplier and seek constructive dialogue and remediation of the incident and will also set clear KPIs to monitor the effectiveness of the steps taken to ensure that no further modern slavery incidences occur. Where Conga Foods identifies any gross violations of human rights, including modern slavery incidences, we may immediately initiate action to report to relevant authorities, remove the supplier from the supply chain and cease business dealings.

Where a suspected incident has occurred within our own direct operations, we are committed to immediately carrying out a thorough investigation, enforcing corrective

measures, and reporting of the incident within 5 business days, including provision of report to the company's CEO. Where any employee or person working for or on behalf of the Company is found to be engaging in or conspiring to engage in any modern slavery conduct will face disciplinary action, with serious breaches regarded as gross misconduct and may lead to immediate dismissal. If warranted legal proceedings may be brought against the person in breach and any findings of our investigation of the suspected incident related to criminal activity will be reported to the police and/or regulators.

11. How many **instances** of modern slavery has your company **identified** over the last 3 years (from and including 2018) in its own operations (including subsidiaries) or in its supply chains that relate to tuna procurement from the Pacific?

We have not identified any instances of modern slavery over the last 3 years in our operations or our supply chain.

Please describe by reference to:

- (a) Number of instances (broken down for each calendar year)
- (b) Do you know where they occurred? Please describe event(s).
- (c) How did the company respond to address the issue(s)?

Reporting

12. Does your company communicate, or **report**, externally on steps taken to address modern slavery? Yes / No

If yes, please provide relevant details, in period since January 2019. This could include statements issued under the [UK](#) or [Australian](#) Modern Slavery Acts.

Conga Foods adheres to the requirements of the Australian Modern Slavery Act and will be submitting its Modern Slavery Statement in accordance with the Act, which Statement will also be made available on its website.

Other information

13. Since January 2019, has your company encountered **obstacles or challenges** in implementing its human rights commitments, taking practical action against modern slavery in tuna supply chains and/or in relation to any of the areas mentioned above? Yes / No

If yes, please explain and provide details of any strategies to overcome them.

Unfortunately, the unpredicted occurrence of COVID19 and the unprecedented challenges it posed to many businesses and individuals resulted in some delays in conducting our supplier audit program and some internal staff training. Ultimately, all was successfully completed, albeit with some slight time delay. Further, physical visits to our supply partners (which also form part of our due diligence process), usually conducted by our senior management and/or CEO, were unable to proceed this year due to the travel bans imposed as a result of COVID-19.

14. Since January 2019, has your company joined or been active in any regional, or sectoral, **multi-stakeholder initiatives** that address modern slavery in fishing?

If yes, please provide details.

15. Please provide any **other information** about your company's policies and practices on human rights that may be relevant.

COVID-19 impacts

16. Has the **COVID-19** pandemic affected your ability to identify, assess or respond to modern slavery risks in your tuna supply chains?

The only impact has been the inability to physically visit our supply partners in their factories & office premises together with the slight time delay in carrying out some of our practical supplier audits and the internal staff training on modern slavery risks as per our answer to question 13.

We have maintained all tuna order levels and pricing agreements with our supply partners.

Please explain and provide details, including any actions (a) taken or (b) delayed/suspended, by you.