



# Canned Tuna Brands - Questions on Human Rights in Pacific Tuna Fishing Operations and Supply Chains (2018/19)

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

**Company:** Kroger

## Human Rights Policy

1. Has your company made a public commitment to respect **human rights**? If so, please provide a link.

Statement on Human Rights: [https://www.thekrogerco.com/wp-content/uploads/2018/07/TheKrogerCo\\_Statement-on-Human-Rights\\_2018-July.pdf](https://www.thekrogerco.com/wp-content/uploads/2018/07/TheKrogerCo_Statement-on-Human-Rights_2018-July.pdf)

Vendor Code of Conduct: <https://www.thekrogerco.com/wp-content/uploads/2017/09/code-of-conduct.pdf>

2. If yes, does the company's commitment address **modern slavery**\* and does it apply throughout your supply chains? Please provide details.

Statement on Human Rights: [https://www.thekrogerco.com/wp-content/uploads/2018/07/TheKrogerCo\\_Statement-on-Human-Rights\\_2018-July.pdf](https://www.thekrogerco.com/wp-content/uploads/2018/07/TheKrogerCo_Statement-on-Human-Rights_2018-July.pdf)

Vendor Code of Conduct: <https://www.thekrogerco.com/wp-content/uploads/2017/09/code-of-conduct.pdf>

3. Does the company have a responsible sourcing or **supplier code of conduct** that prohibits modern slavery? Please provide details.

Vendor Code of Conduct: <https://www.thekrogerco.com/wp-content/uploads/2017/09/code-of-conduct.pdf>

## Human Rights Due Diligence Process

4. Has your company **mapped** its tuna supply chains, in whole or part?

Kroger's vendors provide information about the facilities at which Kroger's products are processed. Kroger also has visibility into which FAO stocks its canned tuna is sourced from.

5. Does the company source tuna from the **Pacific** region?

Yes.

6. Does your company have 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?

Kroger's 2018 Sustainability Report ([http://sustainability.kroger.com/Kroger\\_CSR2018.pdf](http://sustainability.kroger.com/Kroger_CSR2018.pdf)) discusses the company's approach to Responsible Sourcing and Supply Chain Accountability. Specifically, pages 111 and 122-123 of the report discuss our Kroger Vendor Code of Conduct and how Kroger determines which vendors and facilities to prioritize for our Social Responsibility Audits.

If so, 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* findings; (iii) *tracking* the effectiveness of the company's response; and (iv) *communicating externally* about how the company is addressing its human rights impacts.

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

Kroger holds all its vendors accountable to the Kroger Vendor Code of Conduct. Kroger's 2018 Sustainability Report ([http://sustainability.kroger.com/Kroger\\_CSR2018.pdf](http://sustainability.kroger.com/Kroger_CSR2018.pdf); see

pages 122-123) describes how Kroger evaluates and prioritizes its vendors for its Social Responsibility Audits.

By default, the following products are included in our Social Responsibility Audit program: all Our Brands produced at facilities located outside the U.S., unbranded products (such as bulk produce) processed at facilities outside the U.S., and direct import national brand products where Kroger is the importer of record.

We seek continuous improvement from our suppliers and use a Corrective Action Plan process to help our suppliers make progress when there are non-Critical violations of our Code of Conduct. Kroger takes seriously any violations of our Code of Conduct. Cases of suspected child labor, suspected forced labor or attempted bribery by the facility fall within the Prohibited category and these suppliers are automatically disqualified and removed from the Kroger supply chain.

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?

As described on pages 122-123 of our Kroger 2018 Sustainability Report ([http://sustainability.kroger.com/Kroger\\_CSR2018.pdf](http://sustainability.kroger.com/Kroger_CSR2018.pdf)), Kroger has a clear process for how it defines and addresses violations of its Vendor Code of Conduct, as verified through its Social Responsibility Audit program.

Kroger takes seriously any violations of our Code of Conduct. Cases of suspected child labor, suspected forced labor or attempted bribery by the facility fall within the Prohibited category and these suppliers are automatically disqualified and removed from the Kroger supply chain. Facilities that accumulate any Zero Tolerance violations are automatically designated as “Not Approved,” and are required to resolve issues before business with Kroger can continue. Those on Corrective Action Plans are conditionally approved and required to resolve pending corrective action items according to schedule.

9. Per the UN Guiding Principles on Business and Human Rights, does your company have a **grievance/ complaints mechanism** through which workers, including fishers in your

supply chains, can raise concerns about human rights? 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 the company's complaints mechanism? Please provide details.

Kroger's Vendor Code of Conduct provides an anonymous hotline that can be used to share concerns with Kroger about its business.

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

As described on pages 122-123 of our Kroger 2018 Sustainability Report ([http://sustainability.kroger.com/Kroger\\_CSR2018.pdf](http://sustainability.kroger.com/Kroger_CSR2018.pdf)), Kroger has a clear process for how it defines and addresses violations of its Vendor Code of Conduct, as verified through its Social Responsibility Audit program.

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11. How many **instances** of modern slavery has your company **identified** in 2018 in its own operations (including subsidiaries) or in its supply chains that relate to tuna procurement from the Pacific? Do you know where they occurred and can you describe them? How did the company respond to address the issue(s)?

None of Kroger's 2018 audits have identified instances of modern slavery.

## Reporting

12. Does the company communicate, or **report**, externally on steps taken to address modern slavery? If yes, please provide details.

Kroger provides discussion of its Responsible Sourcing and Supply Chain Accountability initiatives in its 2018 Sustainability Report ([http://sustainability.kroger.com/Kroger\\_CSR2018.pdf](http://sustainability.kroger.com/Kroger_CSR2018.pdf)). Specifically, pages 111 and 122-123 of the report discuss our Kroger Vendor Code of Conduct and our Social Responsibility Audit program design and implementation.

## Other information

13. 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? If so, please explain and provide details of any strategies to overcome them.

None to report.

14. Does the company participate in any regional, or sectoral, **multi-stakeholder initiatives** that address modern slavery in fishing, eg:

- a) Seafood Task Force;
- b) Bali Process Government and Business Forum;
- c) Tuna 2020 Traceability Declaration; and
- d) other?

If yes, please provide details.

Not currently.

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

Thank you.

### **Further information and guidance:**

- [UN Guiding Principles on Business and Human Rights](#)
- [OECD Guidelines for Multinational Enterprises](#)
- [UK Modern Slavery Act \(2015\)](#)
- [Californian Transparency in Supply Chains Act](#)
- [ILO Forced Labour Convention, 1930 \(No. 29\)](#)
- [ILO Declaration on Fundamental Principles and Rights at Work](#)
- [ILO Work in Fishing Convention, 2007 \(No. 188\)](#)
- [Seafood Task Force](#)
- [Bali Process Government and Business Forum](#)
- [Tuna 2020 Traceability Declaration](#)
- [Mapping of Sustainable Development Goals to human rights instruments and issues](#)