

Particulars

About Your Organisation

1.1 Member Name

The Kroger Co.

1.2 Membership Number

3-0117-20-000-00

1.3 Membership Sector

Retailers

1.4 Membership Category

Ordinary

1.5 Country

United States

2.0 Does your company or organisation produce, process, consume or sell any palm oil or any products containing derivatives of palm oil?

Yes

2.1 Please select all description(s) that describe the palm oil-related activities of your company or organisation. Multiple selections are allowed, and not limited to the primary sector of the member's RSPO membership. You will be required to complete the relevant ACOP section based on your selection(s).

- I own and operate oil palm estate(s) and/or palm oil mill(s)
- I represent a palm oil Independent Smallholder farmer Group
- I own and operate independent palm oil mills
- I own and operate independent palm kernel crushing plants - Processors and/or Traders
- I trade or broker palm oil, palm kernel oil or related products - Processors and/or Traders
- I am a refiner of palm oil or palm kernel oil - Processors and/or Traders
- I am a processor of intermediate (B2B) palm oil, palm kernel oil or related fractions/derivatives - Processors and/or Traders
- I am a B2B distributor or wholesaler of palm oil, palm kernel oil or related products - Processors and/or Traders
- I manufacture final consumer (B2C) products containing palm oil, palm kernel oil or related products. This includes products manufactured by 3rd party contractors - Consumer Goods Manufacturers
- I retail final consumer (B2C) products containing palm oil, palm kernel oil or related products - Retailers
- I operate food retail outlets that use palm oil, palm kernel oil or related products - Retailers
- I am a conservation and environmental NGO supporting the sustainable development of the palm oil industry
- I am a social and human development NGO supporting the sustainable development of the palm oil industry

Retailers

1. Operational Profile

1.1 Please state your company's main activity(ies) within the palm oil supply chain. Please select all options that apply to your operations.

- Retail - with own brand products
- Retail - without own brand products
- Food service providers
- Retail wholesalers
- Other

Other

-

2. Palm Oil and Certified Sustainable Palm Oil Consumption

Information in Section 2.0 - Palm Oil and Certified Sustainable Palm Oil Consumption - is a mandatory declaration in your ACOP. This includes volume data on palm oil, palm kernel oil and related products consumed, to enable the RSPO to accurately calculate uptake of individual members, sectors and RSPO members as a whole. ACOP reports without reported volume data will be considered as incomplete and will not be accepted. Incomplete ACOP reports may lead to suspension or termination of RSPO membership.

2.1 Please list down all operations and subsidiaries using palm oil, palm kernel oil and related products that are owned and/or managed by the member, including those under Group Membership

The Kroger Co.

2.1.1 In which markets does your company sell goods with palm oil and oil palm products?

North America

DL.2.0 In order to facilitate ease of reporting and transparency, RSPO members operating within the palm oil demand supply chain can now choose to report palm oil and palm oil product volumes on:

an aggregate level (as in previous ACOP reporting cycles)

2.2 Total volume of uncertified and certified palm oil, palm kernel oil and related products purchased for use in your company's own-brand products. Third-party brand products containing palm oil should be excluded.

| Description | Tonnes |
|---|---------------|
| Total volume of crude palm oil (tonnes) | 12673.00 |
| Total volume of crude palm kernel oil (tonnes) | 1036.00 |
| Total volume of palm kernel expeller (tonnes) | 0.12 |
| Total volume of crude palm oil/palm kernel oil-based derivatives and fractions (tonnes) | 507.00 |
| Total | 14216.12 |

2.2.1 Please estimate the percentage of derivatives and fractions (reported in Question RT.2.2) derived from palm oil or from palm kernel oil. The default split for volumes is assumed to be 80% palm oil-based derivatives and 20% palm kernel oil-based derivatives.

| Description | Percentage |
|---|-------------------|
| Palm oil-based derivatives and fractions | 80 |
| Palm kernel oil-based derivatives and fractions | 20 |

2.3 Please estimate the regional distribution of your company's uncertified and certified palm oil, palm kernel oil and related products sales (as declared in Question 2.2) in the following countries/regions.

| Countries/Regions | Percentage |
|--------------------------|-------------------|
| Europe | 0 |
| North America | 100 |
| Malaysia | 0 |
| Indonesia | 0 |
| China | 0 |
| India | 0 |
| Latin America | 0 |
| Africa | 0 |
| Rest of World | 0 |

2.4 Total volume of RSPO-certified palm oil, palm kernel oil and related products purchased for use in your company's own-brand products. Third-party brand products containing palm oil should be excluded.

| Description | Crude/Refined Palm Oil (CSPO) | Crude/Refined Palm Kernel Oil (CSPKO) | Palm Kernel Expeller (CSPKE) | Certified Derivatives and Fractions |
|---|-------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| RSPO Credits from Mill / Crusher | 418.00 | 2.00 | 0.00 | 43.00 |
| RSPO Credits from Independent Smallholder | 0.00 | 0.00 | 0.00 | 0.00 |
| Mass Balance (MB) | 10501.00 | 914.00 | 0.00 | 340.00 |
| Segregated (SG) | 97.00 | 7.00 | 0.00 | 18.00 |
| Identity Preserved (IP) | 70.00 | 0.00 | 0.12 | 81.00 |
| Total | 11086.00 | 923.00 | 0.12 | 482.00 |

2.4.1 Please estimate the percentage of RSPO-certified derivatives and fractions (reported in Question RT.2.4) derived from RSPO-certified palm oil or from RSPO-certified palm kernel oil. The default split for volumes is assumed to be 80% palm oil-based derivatives and 20% palm kernel oil-based

| Description | Percentage |
|---|------------|
| Certified Palm oil-based derivatives and fractions | 80 |
| Certified Palm kernel oil-based derivatives and fractions | 20 |

2.5 According to the volume information you have provided in Question 2.2 and Question 2.4, your company's Certified Sustainable Palm Oil uptake is:

87.87%

2.5.1 Please provide additional information on your certified palm oil, palm kernel oil and related products uptake. This may include your usage of RSPO Credits to cover gaps in certified uptake, changes due to business environment, variations due to stock positions or efforts to support independent smallholders beyond volume commitments.

We are still gathering data from a minority of our third-party suppliers and expect to refine the numbers shared here before sharing final 2021 progress on our commitment to source 100% of palm oil-based ingredients in Our Brands products from RSPO-certified sources in our 2022 Environmental, Social & Governance report.

2.6 Please estimate the regional distribution of your company's RSPO certified palm oil, palm kernel oil and related products (as declared in Question RT.2.4) in the following countries/regions:

| Countries/Regions | Percentage |
|--------------------------|-------------------|
| Europe | 0 |
| North America | 100 |
| Malaysia | 0 |
| Indonesia | 0 |
| China | 0 |
| India | 0 |
| Latin America | 0 |
| Africa | 0 |
| Rest of World | 0 |

3. TimeBound Plan

3.1 Which year did your company begin (or expects to begin) using RSPO-certified sustainable palm oil and palm oil products in own-brand products

2013

3.1.1 If the previous target year has not been met, please explain why.

Kroger communicates our certified palm oil requirements to our own-brand suppliers when onboarding to Kroger's systems and through our annual palm oil assessment. Given that our own-brand assortment continues to change over time, we will continue to push any suppliers who have not met our requirements to align with them.

3.2 Which year did your company begin (or expects to begin) using only RSPO-certified sustainable palm oil, palm kernel oil and related products from any supply chain option in own-brand products.

2023

3.2.1 If the previous target year has not been met, please explain why.

Kroger communicates our certified palm oil requirements to our own-brand suppliers when onboarding to Kroger's systems and through our annual palm oil assessment. Given that our own-brand assortment continues to change over time, we will continue to push any suppliers who have not met our requirements to align with them.

3.3 Which year did your company begin (or expects to begin) using only RSPO-certified sustainable palm oil and palm oil products from physical supply chain options (Identity Preserved, Segregated and/or Mass Balance) in own-brand products.

2025

3.3.1 If the previous target year has not been met, please explain why.

Our goal is to source Identity Preserved, Segregated and/or Mass Balance certified palm oil over Book & Claim certified palm oil. We will aim to source 100% physical palm oil by 2025.

3.4 If the TimeBound Plan commitments declared above do not cover all countries in which the member operates, please explain why

Kroger operates in the United States.

4. Trademark Use

4.1 Does your company use or plan to use the RSPO Trademark in own-brand products?

No

4.3 Please explain why your company does not plan to use the RSPO Trademark in own-brand products

- Challenging reputation of palm oil
- Confusion among end-consumers
- Costs of changing labels
- Difficulty of applying for RSPO Trademark
- Lack of customer demand
- Limited label space
- Low consumer awareness
- Low usage of palm oil
- Risk of supply disruption
- Others

Others

While we understand some consumers are seeking this information, there is a high demand for label space to communicate multiple attributes about our products and therefore we have not yet prioritized RSPO certification on our own-brand labels.

5. Actions for Next Reporting Period

5.1 Please outline activities that your company will take in the coming year to promote the production or consumption of certified sustainable palm oil (CSPO)

- Participation in RSPO Working Group or Task Forces
- Support Independent Smallholders (ISH)
- Contribute to the RSPO Smallholder Trainer Academy
- Financial contribution to the RSPO Smallholder Support Fund
- Direct investments in Smallholder Certification projects
- Involvement/direct investments in Jurisdictional/Landscape approach
- Direct/collective investments in conservation and restoration initiatives
- Financial contribution to support members with Remediation and Compensation (RaCP) process, direct/collective investments in conservation and restoration initiatives
- Allocating FTE to promote the production or consumption of certified sustainable oil palm products
- Specific policies and action plans by the member to promote CSPO production or consumption in the upstream or downstream supply chain, including target dates or broader policies that include such efforts
- No activities planned
- Others

Other

Kroger promotes our No-Deforestation Commitment, which outlines our commitment to use RSPO-certified palm oil and palm-based ingredients in own-brand products, on our corporate website, in our annual Environmental, Social and Governance (ESG) report and to relevant stakeholders, including investors.

Shared Responsibility

The Board of Governors of the Roundtable on Sustainable Palm Oil approved new Shared Responsibility rules on 31 October 2019, requiring all members to share sustainability requirements and obligations. Reporting of Shared Responsibility (SR) requirements will be done through ACOP and MyRSPO. As the process of verification of the reports is in development, the Shared Responsibility section in ACOP may change in future ACOP cycles. Evidence to show compliance to the SR requirements shall be uploaded via your membership profile in MyRSPO. Please login to your MyRSPO account and upload the relevant policies, plans and relevant reports there. If you do not have a policy or your policy does not cover all items, you will be required to provide a Declaration of Support for the relevant policy items in your MyRSPO profile. Additional information on the required policies and plans applicable to all sectors as well as the annual uptake targets for supply chain actors can be found on <https://rspo.org/members/shared-responsibility> or email the Shared Responsibility team at sharedresponsibility@rspo.org.

Information & Public Availability

1.1 Does your company have organisational management documents publicly-available?

Yes

Ethical Conduct & Human Rights

1.2 Does your company have a publicly-available Policy covering Ethical Conduct & Human Rights?

Yes

1.2.1 Does the policy cover:

- Recruitment
- Contractors
- Suppliers and Sub-Contractors

Legal Compliance

1.3 Does your company comply with all applicable legal requirements?

Yes

1.4 Does your company require its third party contractors to comply with legal requirements, i.e. including a clause on legal compliance in the contracts?

Yes

Complaints & Grievances

1.5 Does your company have a Grievance Mechanism that is accessible to all affected parties?

No

Land Use & FPIC

1.6 Does your company have a publicly-available policy covering Commitment to respect Free Prior and Informed Consent (FPIC) in the Palm Oil Supply chain?

No

Smallholders

1.7 Does your company support oil palm smallholders (groups)?

No

Labour & Labour Rights

1.8 Does your company have a publicly-available policy covering Labour & Labour Rights?

Yes

1.8.1 Does the policy cover:

- No discrimination and equal opportunities
- Pay and working conditions at least at legal or industry minimum standards and are sufficient to provide decent living wages (DLW)
- Freedom of association and Collective bargaining
- Protection of children, as well as the workforce of suppliers and third-party contractors
- Prevention of all forms of harassment, including sexual harassment
- No forced or trafficked labour

Occupational Health & Safety

1.9 Does your company have a publicly-available Policy covering Occupational Health & Safety?

Yes

1.9.1 Does your company have a Standard Operating Procedure (SOP) for Occupational Health & Safety?

Yes

Waste Management

1.10a Does your company have a waste management plan that includes reduction, recycling, reusing and disposal based on the hazardous characteristics?

Yes

1.10a.1 Is this plan implemented?

Yes

Water Management

1.11 Does your company have a water management plan to promote efficient use and continued availability of water sources?

Yes

1.11.1 Is this plan implemented?

Yes

Energy Use

1.12 Does your company have an energy use plan to improve the efficiency of the fossil fuels used and to optimise renewable energy?

Yes

1.12.1 Are there records of implementation of the plan ie. monitoring and reporting?

Yes

Climate Change & Greenhouse Gas (GHG)

1.13 Does your company have a publicly-available policy covering Climate Change & Greenhouse Gas (GHG) including identification and assessment of GHG emissions and implementation of a plan to reduce or minimise them?

Yes

Challenges and Support

1.1 What significant obstacles or challenges has your company encountered in the promotion of certified sustainable palm oil (CSPO)? What efforts has your company taken to address these obstacles or challenges?

- Awareness of RSPO in the market
- Difficulties in the certification process
- Certification of smallholders
- Competition with non-RSPO members
- High costs in achieving or adhering to certification
- Human rights issues
- Insufficient demand for RSPO-certified palm oil
- Low usage of palm oil
- Reputation of palm oil in the market
- Reputation of RSPO in the market
- Supply issues
- Traceability issues
- No challenges faced
- Others

Others

Higher costs of RSPO-certified palm oil; availability of physical palm for certain ingredients

1.2 In addition to the actions already reported in this ACOP report, what other ways has your company supported the vision of the RSPO to transform markets to make sustainable palm oil the norm?

- Communication and/or engagement to transform the negative perception of palm oil
- Engagement with business partners or consumers on the use of CSPO
- Engagement with government agencies
- Engagement with peers and clients
- Promotion of CSPO through off product claims
- Promotion of CSPO outside of RSPO venues such as trade workshops or industry associations
- Promotion of physical CSPO
- Providing funding or support for CSPO development efforts
- Research & Development support
- Stakeholder engagement
- No actions taken
- Others

Others

Kroger engages regularly with stakeholders about our no-deforestation commitment, which includes a commitment to source 100% RSPO-certified palm oil ingredients in our private label products.

1.3 If your company has any other publicly-available reports or information regarding its palm oil-related policies and activities, please provide the links here

<https://www.thekrogerco.com/esgreport/>

<https://www.thekrogerco.com/wp-content/uploads/2021/07/Kroger-2021-ESG-Report.pdf>

https://www.thekrogerco.com/wp-content/uploads/2020/02/Kroger-Deforestation-Commitment_Raw-Material-Sourcing_Final.pdf
