

Whistleblower system and rules of procedure of the Fuchs Gruppe and Ubena Alimentari S.r.l.

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The Fuchs Gruppe (hereinafter also referred to as "Group") is committed to effective compliance. Compliance means observing legislation, the law and the Fuchs Gruppe's internal rules, and creating structures to ensure that the Fuchs Gruppe, its management and all its employees can behave lawfully. The compliance Ombudsperson and the ISO 27001-certified whistleblower system www.safewhistle.info are part of the Fuchs Gruppe's compliance system and compliance culture.

Being part of the Fuchs Gruppe, Ubena Alimentari S.r.l. (hereinafter "Ubena" or the "Company") is committed to complying with the Group's compliance system and, in turn, to promoting a culture of compliance among all its employees and other stakeholders.

In particular, the whistleblower system governed by this document has been implemented in compliance with the following German regulations, which are also applicable to Ubena as part of the Fuchs Gruppe:

- Lieferkettensorgfaltspflichtengesetz ("LKSG"), which is the German Supply Chain Due Diligence Act;
- Hinweisgeberschutzgesetz ("HinSchG"), which is the German Whistleblower Protection Act.

Why has the Fuchs Gruppe and Ubena appointed a compliance Ombudsperson?

Your information helps us to counteract violations of applicable law or internal Fuchs Gruppe guidelines at an early stage and to avert damage to our employees, business partners, third parties and also to the Group.

For this reason, the Fuchs Gruppe has appointed a Compliance Ombudsperson (hereinafter "Group Ombudsperson"), Dr Johannes Dilling, a lawyer, to whom employees, business partners and third parties can turn as an external, independent and impartial contact person if they have any indications that violations of applicable law or internal Fuchs Gruppe regulations have occurred.

In addition to the Group Ombudsperson, Ubena has appointed a local Ombudsperson, Dr Paolo Peroni, a lawyer and external, independent and impartial interlocutor, to whom employees, business partners and third parties can turn if they have concrete reasons to presume that the current law or internal regulations applicable to the Company have been or may be violated.

Which whistleblowers are protected?

Any whistleblower acting in good faith is entitled to provide information. Whistleblowers acting in good faith fall within the scope of protection of these Rules of Procedure. Good faith is deemed to exist if the whistleblower assumes at the time of reporting that the information they have provided is true.

Which offences are relevant?

All violations of applicable law are relevant, in particular in the area of white-collar crime or violations of human-rights-related and environment-related obligations, in particular those pursuant to Sections 2, Para. 2 and 3, LKSG. However, violations of Ubena's or the Fuchs Gruppe's internal regulations can also be reported.

On the other hand, if you have a question about your order, want to complain about a product, are dissatisfied with our performances or our service, or have any other concerns, then please use our usual contact options: [contact options](#).

How do I provide information?

If you intend to make a report, please provide the Group Ombudsperson or the local Ombudsperson with the following information:

- in which company or part of a company the incident occurred;
- what happened;
- when;
- where;
- and with which participants.

The Ombudsperson you decide to contact is also interested in being told which other persons - who may not be involved in the specific processes - have knowledge of this and whether there are any documents (e.g. e-mails, photos) relating to this.

Before providing the information, please check carefully whether the statements you are making are accurate with regard to their content. In particular, you must not provide any information that you know to be false.

Please also let the local or Group Ombudsperson know how they can contact you in the event of queries.

What costs are associated with the provision of information?

No costs for the whistleblower are associated with the provision of the information.

What do I do if I am not sure whether a relevant offence has been committed?

If you are not sure, please use phrases such as “*I believe...*” or “*I think it is possible...*”

If there are uncertainties about the presentation, assessment and/or procedure, you can talk to the local or Group Ombudsperson about the case beforehand – even anonymously - and free of charge.

Do I have to reveal my identity when I supply information?

Whistleblowers remain anonymous if they wish. Whistleblowers can agree with the local or Group Ombudsperson as to how they can be contacted in the event of queries if the whistleblower wishes to remain anonymous. No false information may be communicated, even in the case of an anonymous report. Whistleblowers can ask the lawyer Dr Dilling or lawyer Dr Peroni not to disclose to Ubena and/or to the Fuchs Gruppe their identity, even if known to the Ombudsperson involved.

How is the whistleblower's identity protected?

Whistleblowers can ask the local or Group Ombudsperson to protect their identity, and not to disclose it to Ubena and/or to the Fuchs Gruppe, nor to disclose any other information from which it can be inferred.

As lawyers, Dr Johannes Dilling and Dr Paolo Peroni are bound by professional secrecy and may not disclose the identity of a whistleblower who provide information to third parties, in the light of the ethical and confidentiality duties to which they are subject in the exercise of their profession. Dr Dilling and Dr Peroni have taken suitable technical and organisational measures to protect the information they receive in such a way that third parties cannot access it.

The information passed on by Dr Dilling and Dr Peroni to Ubena and/or to the Fuchs Gruppe is also treated confidentially and protected there. The persons responsible for handling reports at Ubena and the Fuchs Group are obliged by law to maintain confidentiality in relation to information received concerning human rights violations and violations of environmental protection duties. They are also contractually obliged to treat incoming reports and in particular the identity of the person providing the information as confidential. Furthermore, the persons responsible for processing the reports at Ubena and the Fuchs Gruppe are independent and not bound by instructions. In particular, they receive no instructions from either the company management or the Works Council regarding the content or procedure for conducting a procedure, for example regarding the type and scope of the procedure or its termination. Ubena and the Fuchs Gruppe ensure organisationally that only those persons who are responsible for processing the reports can access the reports and the documents submitted with them.

Without the consent of the person providing the information, the identity of the person providing the information and circumstances that allow conclusions to be drawn about the identity of the person providing the information may not be passed on, even during internal processing of the information within Ubena and/or the Fuchs Gruppe.

Is the protection of identity confidentiality absolute?

No, it is not.

Firstly, Section 9, Para. 2, HinSchG, provides for exceptions to confidentiality which, for example, allow the identity of a whistleblower to be passed on to a law enforcement authority if the latter requests it. Section 9, Para. 2, HinSchG, is expressly referred to.

Secondly, confidentiality protection is enjoyed only by those persons who act in good faith, i.e. who do not intentionally or grossly negligently transmit false information. A whistleblower who intentionally or grossly negligently transmits false information must expect that their identity will become known via a request for information from the data subject in accordance with Article 15, Para. 1, GDPR, and that the data subject will assert claims for damages.

Finally, neither Dr Dilling nor the Fuchs Gruppe, neither Dr Peroni nor Ubena, is protected against seizure, i.e. in the event of an official investigation, the authorities may seize documents that reveal the identity of the person providing the information.

Whistleblowers who fear that their identity will become known are therefore advised to submit a report anonymously. Even in the case of an anonymous report, no false information may be transmitted.

Here again, if you are not sure, please use phrases such as “*I believe...*”, “*I think it is possible...*” or “*It could be that ...*”

Do I need to fear professional disadvantages if I give information?

No, professional discrimination and reprisals against whistleblowers are strictly prohibited. The Fuchs Gruppe Supplier Code of Conduct, which is also applicable to Ubena's suppliers, contains regulations prohibiting its suppliers from taking reprisals if whistleblowers provide information. This also applies to the threat of and attempt to impose reprisals. Retaliatory measures on the basis of tip-offs will not be tolerated. Whistleblowers are encouraged to report the fact if they are subjected to any retaliation or reprisals by employees or suppliers of Ubena or the Fuchs Gruppe for providing information in good faith. Ubena and the Fuchs Gruppe will respond to these employees or suppliers in an appropriate manner (e.g. by issuing a warning, organising a workshop, demanding compensation).

As part of the reporting procedure and also at the end of the reporting procedure, the local or Group Ombudsperson will enquire of the whistleblowers if they have been subjected to reprisals by employees or suppliers of the Company or Group as a result of the information provided.

Even after the proceedings have been concluded, whistleblowers can report to the Ombudsperson if they are subjected to reprisals by employees or suppliers of the Company or Group as a result of the information provided.

What is the position of the Ombudsperson?

The local or Group Ombudsperson are not arbitration bodies for disputes. They act impartially and are not bound by instructions from Ubena or the Fuchs Gruppe.

What happens to the information?

The local or Group Ombudsperson will report back to you within 7 working days. The Ombudsperson clarifies with the whistleblower the facts of the case and what expectations the whistleblower has with regard to possible preventive or remedial measures, and checks whether the information falls within the scope of the complaints procedure, in particular whether there could be a human rights or environmentally-related breach of duty within the meaning of Section 2, Para. 2 and 3, LKSG. If, in the opinion of the Ombudsperson, there is no relevant violation, he or she will substantiate this to the whistleblower. On the other hand, if a relevant violation appears possible:

- the local Ombudsperson processes the report and confidentially forwards it to Ubena's administrative body, which will decide how to deal with this report;
- the Group Ombudsperson processes the report and confidentially forwards it to the Fuchs Gruppe Compliance Officer. The Fuchs Gruppe Compliance Officer decides, possibly together with the management, how to deal with this report.

If there are sufficiently concrete grounds for suspicion of legal or policy violations, these are investigated internally in order to clarify and remedy possible misconduct. As a rule, this is also done confidentially and discreetly in order to protect the interests of the whistleblower and the persons affected by the reports. The whistleblower will receive feedback from the Ombudsperson contacted no later than three months after the report has been made as to whether the reported violation has been identified. If this is the case, the

violation will be remedied, taking into account the whistleblower expectations. If, in his or her opinion, the remedial measures taken are not sufficient, the whistleblower is encouraged to report this fact.

How to I reach the local or Group Ombudsperson?

The local Ombudsperson can be contacted by phone, e-mail or paper mail. The local Ombudsperson is also available for face-to-face meetings with whistleblowers and by video and audio link upon request.

The contact data are as follows:

Attorney Dr. Paolo Peroni
Largo Guido Donegani 9 (C/O Rödl & Partner)
20121 Milan (Italy)

Tel: +39 026328841
E-mail: paolo.peroni@roedl.com

You can contact the Group Ombudsperson in any conceivable way (telephone, e-mail, fax, post or via the whistleblowing system www.safewhistle.info). The Group Ombudsperson is also available for face-to-face meetings with whistleblowers, including via video and audio transmission on request. If you wish to communicate in encrypted form, you can also use the messenger services Signal and Threema to contact the Group Ombudsperson. It is also possible to send encrypted e-mails to the Group Ombudsperson via Protonmail to the following address:

RADilling@protonmail.com

The contact data are as follows:

Attorney Dr. Johannes Dilling
Landgrafenstrasse 49
50931 Cologne, Germany

Tel.: +49 (0) 221 933 107 40
Mobile: +49 (0) 163 347 6111
Fax: +49 (0) 221 933 107 42
www.ra-dilling.de
www.safewhistle.info
Threema-ID: 3PX6278J

E-mail: info@ra-dilling.de; RADilling@protonmail.com

Whistleblowers can report offences, **in a language of their choice stored there**, via the whistleblower portal www.safewhistle.info, via the messaging services stored there, by e-mail and by post.

Whistleblowers may also request the local or Group Ombudsperson to arrange for an interpreter who is under a special obligation of confidentiality to attend a personal meeting with the Ombudsperson at the expense of the Fuchs Gruppe and who can translate from and into the whistleblower's national language.

At the whistleblower's special request, the Fuchs Gruppe will provide a e ombudswoman as a contact person at its own expense in individual cases.

External reporting centres in Germany

Whistleblowers can also opt to report information about violations to external reporting centres in Germany.

1. Federal Office of Justice

The external reporting office is basically the Federal Office of Justice, located at Adenauerallee 99 – 103, 53113 Bonn (Germany).

Information on the procedure when reporting to the Federal Office of Justice, to which reference is made in accordance with Section 24, Para. 4, Sentence 1, 2, HinSchG, can be found here:

<https://www.bundesjustizamt.de/DE/MeldestelledesBundes/MeldestelledesBundes.html>

You can find the online reporting procedure at the following link:

https://www.bundesjustizamt.de/DE/MeldestelledesBundes/MeldestelledesBundes_node.html

2. The German Federal Financial Supervisory Authority (BaFin)

The responsible external reporting centre for reports in accordance with Section 21, No. 1 and No. 2, HinSchG, is the German Federal Financial Supervisory Authority (BaFin), located at Graurheindorfer Strasse 108, 53117 Bonn (Germany).

Information on the notification procedure of the BaFin, to which reference is made in accordance with Section 24, Para. 4, Sentences 1, 2, HinSchG, can be found here:

https://www.bafin.de/DE/DieBaFin/Hinweisgeberstelle/hinweisgeberstelle_node.html

https://www.bafin.de/DE/DieBaFin/Hinweisgeberstelle/2_Anonyme_Hinweisabgabe/AnonymeHinweiserteilung_node.html

You can find the online reporting procedure under the following link:

<https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=2BaF6&c=-1&language=ger>

3. German Federal Cartel Office

The responsible external reporting centre for reports in accordance with Section 22, Para. 1, HinSchG, is the German Federal Cartel Office, located at Kaiser-Friedrich-Strasse 16, 53113 Bonn (Germany).

Violations can be reported at any time, via an internal report, regardless of the outcome of proceedings.

Information on the notification procedure of the German Federal Cartel Office, to which reference is made in accordance with Section 24, Para. 4, Sentences 1, 2, HinSchG, can be found here:

<https://www.bkms-system.net/bkwebanon/report/channels?id=bkarta&language=ger>

You can find the online reporting procedure at the following link:

<https://www.bundeskartellamt.de/DE/Aufgaben/Kartelle/HinweiseAufKartellverstoesse/hinweiseaufverstoesse.html>

4. European Anti-Fraud Office

In addition, whistleblowers - including anonymously if requested - can report possible cases of fraud or other serious irregularities with a potentially negative impact on EU funds to the European Anti-Fraud Office (OLAF), established at the European Commission - European Anti-Fraud Office (OLAF), 1049 Brussels (Belgium).

Information on the procedure for reporting to OLAF, to which reference is made in accordance with Section 24, Para. 4, Sentences 1, 2, HinSchG, can be found here:

https://anti-fraud.ec.europa.eu/index_de