

## KDP Chemicals Management Policy October 25, 2024

### Overview

Keurig Dr Pepper's (KDP) Chemicals Management Policy ("Policy") establishes our position with respect to the responsible management of Chemicals of Concern and the identification of opportunities to reduce or eliminate the use of certain chemicals where feasible or required by law; or otherwise manage such chemicals. This Policy applies to all raw materials including water, ingredients and packaging materials related to KDP-branded food and beverage products. At a minimum, all KDP-branded products are formulated and manufactured so that they are safe to use as intended. We ensure our products and packaging comply with applicable regulatory standards and laws in the countries in which KDP distributes and require our suppliers and third-party producers to meet or exceed these standards in conformance with this Policy and our **Supplier Code of Conduct**. In addition, KDP considers the related requirements of our retail customers in formulating its policies related to chemicals management.

This Policy is comprised of five sections; a general explanation of KDP's Chemicals of Concern and Emerging Chemicals of Concern, followed by four sections explaining how the Chemicals Management Program applies to packaging materials, ingredients, water and appliances.

### Chemicals of Concern

KDP identifies the following as Chemicals of Concern. We continually monitor the latest science, research and state and federal regulations and may update this list as new information is available. This could include both removing or adding chemicals determined to be of concern:

- A. **Perfluoroalkyl and polyfluoroalkyl substances (PFAS), their salts and degradation compounds.** "PFAS" means all members of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom. This includes all short-chain, long-chain, or branched PFAS, as well as Gen-X chemicals.
- B. **Phthalates.** "Phthalates" or "ortho-phthalates" mean all members of the class of organic chemicals that are esters of phthalic acid and that contain 2 carbon chains located in the ortho position.
- C. **Toxic and Heavy Metals:** Arsenic, Cadmium, Lead, Mercury, and Hexavalent Chromium
- D. **Bisphenols:** any member of a class of industrial chemicals that contain two hydroxyphenyl groups, including but not limited to Bisphenol A (**BPA**), Bisphenol S, Bisphenol F, Bisphenol AF and Tetrabromobisphenol A.
- E. **Any Prop 65 Listed Chemical not already incorporated by reference in A through D above exceeding Safe Harbor levels established by law, including No Significant Risk Levels (NSRLs) and / or Maximum Allowable Dose Levels (MADLs) established in regulation in Title 27, Cal. Code of Regulations, Sections 25705, 25709 and 25805.**
- F. **Agricultural chemicals** including pesticides, insecticides, fungicides, and herbicides exceeding maximum residues allowed to remain on or in food, as regulated by tolerances established by US EPA, and / or Maximum Residue Limits (MRL's) established by Health Canada, or otherwise prohibited by applicable law.

G. **Unapproved Ingredient and Packaging Constituents** (e.g., additives and colors) not generally recognized as safe and approved as used, by the FDA and/or Health Canada, in a purchased ingredient.

**Emerging Chemicals of Concern** – KDP has also identified Emerging Chemicals of Concern, either because they have been identified as potentially hazardous to humans and are likely to be regulated in the future, or due to emerging regulations. We communicate the list to suppliers as appropriate and encourage them to identify and communicate the presence of these chemicals to support KDP compliance strategy development.

### 1. **Chemicals of Concern in Food Packaging**

KDP manages the presence of Chemicals of Concern in food packaging procured by KDP. All toll manufacturers sourcing their own packaging and producing for KDP are responsible for maintaining compliance with this Policy and applicable legal requirements. We require all other bottlers of KDP branded food & beverage products to maintain legal compliance with respect to all KDP branded food & beverage products they sell.

“Food Packaging” refers to any individual assembled part of a package, such as, but not limited to cans, bottles, closures, labels, coatings, inks, dyes, pigments, adhesives, stabilizers, any other additives, plastic cups, lids, pouches, flexible multi-serve bags (bag-in-box), multi-layer cartons, plastic coffee pods, and pod components (filter paper, discs, etc.) It also includes secondary/tertiary packaging used to package a KDP product, including: any interior or exterior blocking, bracing, cushioning, weatherproofing, and exterior strapping.

<b>Chemical of Concern</b>	<b>Presence</b>	<b>KDP Requirement</b>
<b>PFAS</b>	Intentionally Added <sup>1</sup> and/or Use As Processing Agent Where Detectable <sup>2</sup>	Prohibited
	Incidental <sup>3</sup>	<100 ppm Total Organic Fluorine (TOF) - CA limit; for certain retail customers > 50 ppm TOF drives speciation testing
<b>Phthalates</b>	Intentionally Added <sup>1</sup>	Prohibited
	Incidental <sup>3</sup> and / or Use As Processing Agent Where Detectable <sup>2</sup>	Retail Customer: Limit: 500 mg/kg (each), 1000 mg/kg (sum) Toxics in Packaging Clearinghouse Limit: 100 mg/kg (sum)
<b>Heavy Metals</b>	Intentionally Added <sup>1</sup>	Prohibited
	Incidental <sup>3</sup> and / or Use As Processing Agent Where Detectable <sup>2</sup>	Toxics in Packaging Clearinghouse Limit: Sum of Lead, Cadmium, Mercury, Hexavalent Chromium < 100 ppm
<b>Bisphenols</b>	Intentionally Added <sup>1</sup>	Prohibited in finished product packaging being distributed where regulated and in accordance with the packaging component specified in the regulation (For example California via Prop65 and Washington State)

<b>Prop 65</b> <sup>4</sup>	No presence: 1) For compounds for which there is no safe harbor level (2) exceeding Safe Harbor levels established by law, including No Significant Risk Levels (NSRLs) and / or Maximum Allowable Dose Levels (MADLs) established in regulation in Title 27, Cal. Code of Regulations, Sections 25705, 25709 and 25805; and / or (3) not Otherwise exempt by law.	Supplier will promptly notify KDP in writing. Upon any change in presence of a Prop 65 compounds, including - any other changes in the product or packaging composition, or changes to the list of Prop 65 chemicals. Such notice shall include the concentration of any Prop 65 Listed Chemicals by CAS#.
<p><sup>1</sup> <b>Intentionally Added</b> – means the deliberate use of a chemical in the formulation of a package or packaging component where its continued presence is desired in the finished package or packaging component to provide a specific characteristic, appearance, or quality.</p> <p><sup>2</sup> <b>Use as Processing Agent Where Detectable</b> – means use of chemical as a processing agent, mold release agent, or intermediate where the chemical is detectable in package or packaging component that is applied to or in direct contact with any food or beverage<sup>3</sup> <b>Incidental</b> – means the detectable presence of the regulated compound due to its ubiquitous presence in water and/or recycled materials used to manufacture the packaging or packaging component.</p> <p><sup>4</sup> <b>Prop 65 Listed Chemicals</b> - means per California Safe Drinking Water and Toxic Enforcement Act of 1986 and California Governor’s List of Chemicals Known to Cause Cancer or Reproductive Toxicity</p>		

KDP monitors and assesses supplier conformance with this Policy to enable confirmation of compliance with applicable laws and regulations as well as conformance to customer requirements. On behalf of its operating affiliates, KDP requires all packaging suppliers to provide declarations that a) all materials used to manufacture packaging, and b) the finished packaging product, meet all applicable legal compliance and Policy requirements. Third-party producers are held to compliance requirements through manufacturing agreements and are required to provide similar documentation for the packaging materials they source for use in producing KDP-branded products upon request.

## **2. Chemicals of Concern in Ingredients**

KDP manages the presence of Chemicals of Concern in the ingredients procured by KDP and used in manufacturing KDP-branded products at owned locations. By communicating this Policy, KDP sets the requirements for ingredients procured and used by third parties producing KDP-branded products. Suppliers of packaged Ingredients are also subject to Packaging Requirements in Section 1. “Chemicals of Concern in Packaging.”

Chemical of Concern	Presence	KDP Requirement
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<b>Agricultural Chemicals</b> (e.g., insecticides, pesticides, herbicides, fungicides)	On purchased ingredient crops (such as apples or green coffee beans), or in purchased, processed ingredients from an input crop (e.g., fruit juice concentrates, flavors, processed oils)	Prohibited where chemicals not registered for use under US or Canadian Law, or where a detectable residue exceeds the applicable Canadian or US MRLs
<b>Other Regulated and Emerging Chemicals</b> (e.g., Toxic Heavy Metals, Prop 65 listed chemicals, mycotoxins, PFAS)	Intentionally or incidentally present, except for those naturally occurring and for which there is an exemption under the applicable law	Prohibited when detectable at levels greater than US and Canadian federal, state, and provincial regulatory limits. This includes the presence of and potential migration of chemicals from ingredient packaging over the expected storage life of a packaged ingredient.
<b>Unapproved Food Ingredient Constituents</b> (e.g., food additives, processing aids)	Intentionally or incidentally present	Prohibited when not used as approved by the FDA or Health Canada or where a GRAS (Generally Recognized as Safe) or similar safety assessment has been conducted.

KDP collects documentation and assesses supplier conformance with this Policy during the Supplier and Ingredient approval processes, to enable confirmation of compliance with various federal, state, and provincial laws and regulations and conformance to customer requirements. These requirements cover KDP-approved ingredients and suppliers whether procured by KDP or third-party producers.

### 3. Chemicals of Concern in Water

KDP maintains a water safety compliance program which delivers compliance with applicable regulations. The program’s scope includes public and private water sources (“Source Water”) as well as water further treated on-site prior to use (“Treated Water”) by KDP-owned manufacturing locations.

In addition to annual federal compliance testing, KDP monitors the presence of Chemicals of Concern in water used to manufacture KDP products at owned facilities. KDP requires third-party producers to perform monitoring testing to demonstrate compliance and share results with KDP upon request.

Chemical of Concern	Scope		KDP Requirements	
	KDP – owned facilities	3 <sup>rd</sup> Party Producers	Water type (Source)	Quality Limits
<b>Contaminants Regulated by the EPA National Primary Drinking Water Standards</b>	Facilities in US, Mexico, and Ireland	US	Treated Ingredient Water	Prohibited in Reverse Osmosis Treatment and Nano Filtration  All other treatment systems are subject to monitoring and the quality is that of the local municipal source and KDP

				looks for opportunities to improve treatment systems within our network.
			Bottled Water	Prohibited in Bottled Water when detectable above the EPA Maximum Contaminant Limit (MCL) and used in product for US distribution
<b>Contaminants Regulated by the Guidelines for Canadian Drinking Water Quality</b>	Canadian facilities	Canadian	Source Water and Treated Ingredient Water	Prohibited in Treated Water when detectable at levels above Health Canada's Maximum Acceptable Concentration.
<b>Contaminants Regulated by 21 CFR 165</b>	All Bottled Water Facilities producing for US	All Bottled Water Facilities producing for US	Bottled Water	Prohibited when detectable above the FDA's allowable levels.
<b>Contaminants Regulated by Official Mexican Standard-NOM - 127-SSA1-2021</b>	Sites operating private wells in Mexico for human consumption	Sites operating private wells in Mexico for human consumption	Source/Treated Ingredient Water* *sampled at the point it is considered safe for human consumption	Prohibited when detected above the allowable limit.
<b>Contaminants Regulated by Official Mexican Standard-NOM-201-SSA1-2015</b>	Sites producing bottled water or mineral water in Mexico	Sites producing bottled water or mineral water in Mexico	Bottled Water	Prohibited when detected above the allowable limit.
<b>Contaminants Regulated by Official Mexican Standard- NOM-218-SSA1-2011</b>	Sites producing beverages other than bottled water or mineral water in Mexico	Sites producing beverages other than bottled water or mineral water in Mexico	Beverages	Prohibited when detected above the allowable limit.
<b>Other Regulated Contaminants (e.g., PFAS)</b>	US, Irish and Canadian facilities	All Facilities producing for US and Canada	Source, Treated Ingredient Water, and Bottled Water	Prohibited in Treated and Bottled water when detectable at levels above the most stringent State and Provincial regulations.

#### 4. Chemicals of Concern in Appliances

KDP manages the presence of Chemicals of Concern in the appliances and appliance accessories procured by KDP. All KDP-branded appliance products must meet applicable regulatory and customer requirements. All contract manufacturers sourcing their own parts and components to produce for KDP are responsible for maintaining compliance with this Policy and applicable legal requirements.

Chemical of Concern	Presence	KDP Requirement
PFAS	Intentionally Added <sup>1</sup> and/or Use As Processing Agent Where Detectable <sup>2</sup>	Prohibited
	Incidental <sup>3</sup>	<100 ppm Total Organic Fluorine (TOF) - CA limit
Phthalates	Intentionally Added, Incidental <sup>3</sup> and / or Use As Processing Agent Where Detectable <sup>2</sup>	<1,000 ppm per 15 U.S.C. 2057c & 16 CFR part 1307
Bisphenol A	Intentionally Added, Incidental <sup>3</sup> and / or Use As Processing Agent Where Detectable <sup>2</sup>	<0.1 ppm per retailer requirements; or deemed not to exceed 3µg/day MADL for Prop 65 by a board-certified toxicologist.
Bisphenol S	Intentionally Added <sup>1</sup>	Prohibited in finished product being distributed where regulated per California Prop 65
	Incidental <sup>3</sup> and / or Use As Processing Agent Where Detectable <sup>2</sup>	
Lead	Intentionally Added, Incidental <sup>3</sup> and / or Use As Processing Agent Where Detectable <sup>2</sup>	<90 ppm Total Lead for non-ceramic materials per SOR/2018-83 - Consumer Products Containing Lead Regulations & SOR/2022-122 amending Surface Coating Materials Regulations
		<5 ppm Total Lead for food contact metal alloys per Washington State HB 1551
		<0.5 ppm migratable in ceramics and glass per SOR/2022-122 amending Surface Coating Materials Regulations
Mercury	Intentionally Added, Incidental <sup>3</sup> and / or Use As Processing Agent Where Detectable <sup>2</sup>	<10 ppm Total Mercury per SOR/2022-122 amending Surface Coating Materials Regulations
Cadmium	Intentionally Added, Incidental <sup>3</sup> and / or Use As Processing Agent Where Detectable <sup>2</sup>	<500 ppm Total Cadmium per CPG 545.400
		<0.5 ppm migratable Cadmium per SOR/2016-175 - Glazed Ceramics and Glassware Regulations - Migratable Lead and Cadmium content
21 CFR – GRAS	No presence that results in material being noncompliant with applicable 21 CFR section	Material intended for food contact must have 21 CFR declaration or Letter of

		Guarantee ensuring compliance to applicable 21 CFR part 170-179. Material must also have passing test results for applicable 21 CFR section by 3 <sup>rd</sup> party ILAC:ISO 17025 Accredited Laboratory
<b>California Safe Drinking Water and Toxic Enforcement Act of 1986<sup>4</sup></b>	No presence: 1) For compounds for which there is no safe harbor level (2) exceeding Safe Harbor levels established by law, including No Significant Risk Levels (NSRLs) and / or Maximum Allowable Dose Levels (MADLs) established in regulation in Title 27, Cal. Code of Regulations, Sections 25705, 25709 and 25805; and / or (3) not otherwise exempt by law.	Supplier will promptly notify KDP in writing. Upon any change in presence of a Prop 65 compounds, including - any other changes in the product or packaging composition, or changes to the list of Prop 65 chemicals. Such notice shall include the concentration of any Prop 65 Listed Chemicals by CAS#.
<p><sup>1</sup> <b>Intentionally Added</b> – means the deliberate use of a chemical in the formulation of a material or component where its continued presence is desired in the finished package or packaging component to provide a specific characteristic, appearance, or quality.</p> <p><sup>2</sup> <b>Use as Processing Agent Where Detectable</b> – means use of chemical as a processing agent, mold release agent, or intermediate where the chemical is detectable in the final material or component</p> <p><sup>3</sup> <b>Incidental</b> – means the detectable presence of the regulated compound due to its ubiquitous presence in the environment (i.e., in water and/or recycled materials used to manufacture the material or component.)</p> <p><sup>4</sup> <b>Prop 65 Listed Chemicals</b> - means per California Safe Drinking Water and Toxic Enforcement Act of 1986 and California Governor’s List of Chemicals Known to Cause Cancer or Reproductive Toxicity</p>		

KDP has developed programs and processes to monitor and assess supplier conformance with this Policy, compliance with applicable laws and regulations, and conformance to retailer requirements. KDP requires contract manufacturers to provide declarations that all materials used to manufacture KDP appliances and/or accessories meet all applicable legal compliance and Policy requirements. Third-party producers are held to compliance requirements through manufacturing agreements and are required to provide similar documentation for the materials they source for use in producing KDP-branded products upon request.

**Conclusion**

Maintaining customer and consumer confidence in the safety of KDP products is critical to our business. The KDP Chemical Working Group, a cross-functional team that continuously monitors the regulatory, industry and consumer landscapes, will review this Policy at least annually and update it as required to maintain compliance, identify opportunities for continuous improvement and satisfy key customer requirements.