

Title: US DOE Financial & Organizational Conflict of Interest Policy	Policy Owner: Chief Ethics and Compliance Officer
Date of Issue: January 13, 2025	Effective Date: January 13, 2025

I. POLICY OVERVIEW

As a recipient of a Project for which financial assistance funding is sought or received from the U.S. Department of Energy, Kraft Heinz (the “**Company**”) is required is to identify and mitigate any potential, actual, or perceived financial or organizational Conflict of Interest (“**COI**”) that might arise from work to be performed by Company under all such Projects.

Under [DOE’s Interim COI Policy](#), the Company must certify that it: (1) has in effect an up-to-date, written, and enforced administrative process to identify and manage COI with respect to all Projects for which financial assistance funding is sought or received from DOE; (2) shall promote and enforce Investigator compliance with the DOE Interim COI Policy’s requirements including those pertaining to disclosure of Significant Financial Interests; (3) shall manage FCOI and provide initial and ongoing FCOI Reports to DOE; (4) agrees to make information available, promptly upon request, to DOE relating to any Investigator disclosure of Financial Interests and the Company’s review of, and response to, such disclosure, whether or not the disclosure resulted in the Company’s determination of a FCOI; and (5) shall fully comply with the requirements of the DOE Interim COI Policy.

II. PURPOSE OF POLICY

In accordance with the DOE Interim COI Policy, the purpose of this policy is to establish standards that provide a reasonable expectation that the design, conduct, and reporting of Projects wholly or in part funded under the DOE Financial Assistance Awards will be free from bias resulting from FCOI or OCOI, by:

- Providing a Company administrative process to identify, manage, and report (if applicable) any potential, perceived, or actual FCOI or OCOI.
- Requiring Investigators to disclose any Significant Financial Interests to ensure any perceived, possible, or actual FCOI are identified, mitigated, and/or reported (as required).

III. SCOPE

A. *Who is Subject to this Policy?* This policy applies to:

1. The Company as a whole when it applies for or receives a DOE Financial Assistance Award;
2. Each Investigator (who is the Principal Investigator and any other person, regardless of title or position, who is responsible for the purpose, design, conduct, or reporting of a Project funded by DOE or proposed for funding by DOE) who is planning to participate in or is participating in the Company’s Project that is wholly funded or partially funded under the DOE Financial Assistance Award; and

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3. Each Subrecipient that works on or supports the Company’s DOE Financial Assistance Award.

B. ***What is a Conflict of Interest?*** DOE’s Interim COI Policy identifies two types of conflicts of interest: (1) a Financial Conflict of Interest; and (2) an Organizational Conflict of Interest, both defined below.

C. ***Interaction with Kraft Heinz’s Global Conflict of Interest Policy:*** This policy supplements Kraft Heinz’s existing Global Conflict of Interest policy.

IV. DEFINITIONS

This policy utilizes the following definitions in accordance with DOE’s Interim COI Policy.

“Award, Financial Assistance Award or Federal Award” means the same as the definition provided in 2 CFR 200.1 for Federal Award.

“Contracting Activity” means an organizational element that has the authority to award and administer contracting and financial assistance instruments.

“Disclosure of Significant Financial Interests” means an individual’s disclosure of Significant Financial Interests to a Non-Federal Entity.

“DOE” means the U.S. Department of Energy, the National Nuclear Security Administration (NNSA), and any components of the DOE to which the authority involved may be delegated.

“DOE Program Office” means the organizational unit of DOE, led by an officer of the Department who has been appointed by the President by and with the advice and consent of the Senate, that funds and/or manages the Awards subject to this Policy. For purposes of this Policy, the term “DOE Program Office” includes the organization responsible for executing program management functions; the cognizant Contracting Activity; and the field elements in safety and health, administrative, management, and technical areas.

“Financial Conflict of Interest” or “FCOI” means a situation in which an Investigator or the Investigator’s spouse or dependent children has a Significant Financial Interest or financial relationship that could directly and significantly affect the design, conduct, reporting or funding of a Project.

“FCOI Report” means a Non-Federal Entity's report of a FCOI to the DOE Program Office.

“Financial interest” means anything of monetary value, whether or not the value is readily ascertainable.

“Institution of Higher Education” means the same as the definition provided at 20 U.S.C. § 1001(a).

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“Investigator” means the PI and any other Kraft Heinz or Subrecipient employee or contractor, regardless of title or position, who is responsible for the purpose, design, conduct, or reporting of a Project funded by DOE or proposed for funding by DOE.¹

“Investigator’s Non-Federal Entity Responsibilities” means an Investigator’s professional responsibilities on behalf of the Non-Federal Entity.

“Manage” means taking action to address a FCOI, which can include mitigating or eliminating the COI, to ensure, to the extent possible, that the purpose, design, conduct, and reporting of a Project will be free from bias.

“Non-Federal Entity” means a State, local government, Indian tribe, Institution of Higher Education, nonprofit organization, or for-profit organization that carries out a DOE Award as a Recipient or Subrecipient.

“Organizational Conflict of Interest” or “OCOI” means a situation where because of relationships with a parent company, affiliate, or subsidiary organization, the Non-Federal Entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. 2 CFR 200.318(c)(2).

“Potential COI” exists when an impartial observer reasonably believes that actual or apparent past, present, or currently planned interests could constitute a COI with a Project funded under a DOE Award.

“Principal Investigator” or “PI” means a principal investigator of a Project funded under a DOE Financial Assistance Award; PI is included in the definitions of *senior/key personnel* and *Investigator*.

“Project” means the interdependent activities funded wholly or in part under the DOE Financial Assistance Award. A Project has a defined start and end point with objectives described in an application or in an approved scope that, when attained, signify completion and achievement of a specific goal, and creation of a unique product, service, or result. For Awards that include recipient cost share as part of the approved budget, activities funded with that recipient cost share are included.

“Recipient” means an entity, usually but not limited to non-Federal entities, that receives a Federal Award directly from a Federal awarding agency. The term “Recipient” does not include subrecipients or individuals that are beneficiaries of the Award.

“Senior/key personnel” means the PI; any other person who significantly influences the design, conduct, or reporting of a Project funded under a DOE Award; and any other person identified as senior/key

¹ DOE Program Offices have the discretion to *expand* this definition to include any person who *participates* in the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE. Such expansion will be specified in the applicable funding opportunity announcement and/or terms and conditions of the Financial Assistance Award.

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personnel by the Non-Federal Entity in the application for financial assistance, approved budget, progress report, or any other report submitted to the DOE by the Non-Federal Entity under this policy.

“Significant Financial Interest” means:

(1) A Financial Interest consisting of one or more of the following interests of the Investigator (and those of the Investigator's spouse and dependent children) that reasonably appears to be related to the Investigator's Non-Federal Entity Responsibilities:

(i) With regard to any foreign or domestic publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value.

(ii) With regard to any foreign or domestic non-publicly traded entity, a *significant financial interest* exists if the value of any remuneration, not otherwise disclosed as current, pending, or other support, received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the Investigator (or the Investigator's spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest).

(iii) Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.

(2) Investigators also must disclose the occurrence of any reimbursed or sponsored travel (i.e., that which is paid on behalf of the Investigator and not reimbursed to the Investigator so that the exact monetary value may not be readily available) related to their institutional responsibilities that is not otherwise disclosed in current and pending or other support disclosures, provided that this disclosure requirement does not apply to travel that is reimbursed or sponsored by a Federal, state, or local government agency of the United States; a domestic Institution of Higher Education; or a domestic research institute that is affiliated with a domestic Institution of Higher Education.

(3) The term *significant financial interest* does not include the following types of Financial Interests: salary, royalties, or other remuneration paid by the Company to the Investigator if the Investigator is currently employed or otherwise appointed by the Company, including intellectual property rights assigned to the Company and agreements to share in royalties related to such rights; any ownership interest in the Company held by the Investigator, if the Company is a commercial or for-profit organization; income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles; income from seminars, lectures, or teaching engagements sponsored by a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic

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Institution of Higher Education; or income from service on advisory committees or review panels for a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education.

“**Subrecipient**” means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal Award but does not include an individual that is a beneficiary of such Award. A Subrecipient may also be a recipient of other Federal Awards directly from a Federal awarding agency.

V. REQUIREMENTS

The Company commits to taking actions necessary to identify, mitigate, manage, resolve, and report possible, perceived, or actual FCOI, including any financial conflicts of a Company Investigator or a Subrecipient Investigator. This includes the management of an identified FCOI, including the development and implementation of a management plan and, if necessary, a retrospective review and a mitigation report. Likewise, the Company commits to taking actions necessary to identify, mitigate, manage, resolve, and report possible, perceived, or actual OCOI.

A. Financial Conflicts of Interest

i. **Duties of Investigators to Disclose** - In accordance with DOE’s Interim COI Policy, every Investigator (i.e., any Kraft Heinz or Subrecipient employee or contractor, regardless of title or position, who is responsible for the purpose, design, conduct, or reporting of a Project funded by DOE or proposed for funding by DOE) has: (a) a duty and responsibility to disclose Significant Financial Interests; and (b) a requirement to complete training regarding the disclosure of Significant Financial Interests (i) prior to engaging in Projects related to any DOE Financial Assistance Award; (ii) at least once every four years; and (iii) immediately when any of the following circumstances apply:

- The Company revises this policy or procedures in any manner that affects the requirements of Investigators;
- An Investigator is new to the Company; or
- The Company finds that an Investigator is not in compliance with this policy.

Specifically, Investigators are required to:

1. Complete the Company’s Significant Financial Interests Disclosure Form disclosing the Investigator’s Significant Financial Interests (and those of the Investigator’s spouse and dependent children) either (a) no later than the time of application for the DOE Award; or (b) prior to participating in a Project funded under a DOE Award, and submit the completed forms to the Company’s Designated COI Official.

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2. Submit an updated disclosure Form at least annually during the period of the Award. Such disclosure shall include any information that was not previously disclosed and shall include updated information regarding any previously disclosed Significant Financial Interest.
3. Disclose the occurrence of any reimbursed or sponsored travel (i.e., that which is paid on behalf of the Investigator and not reimbursed to the Investigator so that the exact monetary value may not be readily available) related to their institutional responsibilities that is not otherwise disclosed in current and pending or other support disclosures, provided that this disclosure requirement does not apply to travel that is reimbursed or sponsored in full by the Company, a Federal, state, or local government agency of the United States; a domestic Institution of Higher Education; or a domestic research institute that is affiliated with a domestic Institution of Higher Education, or a combination of these entities. This disclosure must include, at a minimum, the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration.
4. Complete an updated disclosure Form within thirty (30) days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) a new Significant Financial Interest.

Violation of this policy may result in disciplinary action up to and including termination.

- ii. **The Company’s Designated COI Official.** Pursuant to DOE’s Interim COI Policy, the Company has designated members of the Kraft Heinz Ethics & Compliance team as the designated Company officials (the “**Company’s Designated COI Official**”), who will be responsible for initiating a COI inquiry into a potential, perceived, or actual FCOI or OCOI.

Regarding FCOI, the Company’s Designated COI Official is responsible for determining whether an Investigator's Significant Financial Interest is related to a Project funded under a DOE Award and, if so related, whether the Significant Financial Interest is a FCOI. An Investigator's Significant Financial Interest is related to a Project funded under a DOE Award when the Company reasonably determines that the Significant Financial Interest could be affected by the Project, could affect the Project, is in an entity whose Financial Interest could affect the Project, or is in an entity whose Financial Interest could be affected by the Project. A FCOI exists when the Company reasonably determines that the Significant Financial Interest could directly and significantly affect the purpose, design, conduct, or reporting of the Project funded under a DOE Award. The Designated COI Official must review and manage any potential, perceived, or actual FCOI by developing and implementing a management plan that shall specify the actions that have been, and shall be, taken to manage such FCOI.

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The Designated COI Official shall maintain records relating to all Investigator disclosures of Financial Interests and the Company’s review of and response to such disclosures (whether or not a disclosure resulted in the Company’s determination of a FCOI) and all actions under this policy or in retrospective review, if applicable, for the time period specified in 2 C.F.R. § 200.334 or, where applicable, from other dates specified in the individual award terms and conditions.

iii. Public Accessibility to Information Concerning Significant Financial Interests

In accordance with DOE’s Interim COI Policy, prior to the Company’s expenditure of any funds under a DOE Award, the Company shall ensure public accessibility, via a publicly accessible website or written response to any requestor within five (5) business days of a request, of information concerning any Significant Financial Interest disclosed to the Company that meets the following three criteria: (1) the Significant Financial Interest is still held by the senior/key personnel as defined by this policy; (2) the Company determined that the Significant Financial Interest is related to the Project funded under the DOE Award; and (3) the Company determined that the Significant Financial Interest is a FCOI.

The Company shall provide the following minimum information: (1) the Investigator's name; (2) the Investigator's title and role with respect to the Project; (3) the name of the entity in which the Significant Financial Interest is held; (3) the nature of the Significant Financial Interest; and (4) the approximate dollar value of the Significant Financial Interest or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value.

iv. Reporting of Financial Conflict of Interest

In accordance with DOE’s Interim COI Policy, prior to the Non-Federal Entity's expenditure of any funds under a DOE-funded Project, and at least annually thereafter, the Company shall provide to the DOE Program Office a FCOI Report regarding any Investigator's unmanaged or unmanageable Significant Financial Interest found by the Company to be conflicting.² The Company shall provide, on request, FCOI Reports and supporting documentation about any Significant Financial Interest found by the Company to be conflicting, regardless of whether or not the conflict has been managed, mitigated, or eliminated. Such FCOI Reports will include: (1) the name of the Investigator with the FCOI; (2) the name of the entity with which the Investigator has a FCOI; (3) the nature of any applicable Financial Interest (e.g., equity, consulting fee, travel reimbursement, honorarium) and/or applicable external relationships or activities; (4) value of any applicable Financial Interest or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other

² In accordance with DOE’s Interim COI Policy, DOE Program Offices may, by language in FOAs or term and condition of award, require a Non-Federal Entity’s FCOI Report also list any Investigator’s Significant Financial Interest found by the Non-Federal Entity to be conflicting and addressed by a management plan in accordance with this policy.

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reasonable measures of fair market value; (5) a description of how the Financial Interest relates to the Project funded under a DOE Award and the basis for the Company’s determination that there is a conflict with such Project.

B. Organizational Conflicts of Interest

The primary objective is to prevent and/or mitigate any situation in which an OCOI may arise.

To the extent the Company becomes aware of any potential or actual OCOI, it shall disclose such OCOI in writing to the appropriate DOE Program Office in (a) any application for financial assistance; or (b) prior to engaging in a procurement or transaction using DOE funds with a parent, affiliate, or subsidiary organization (to the extent one exists in the future). In compliance with DOE’s Interim COI Policy, such a disclosure shall include: (i) The name, address, and website (as applicable) of the entity that presents a potential or actual OCOI; (ii) the relationship between the Non-Federal Entity and the entity at issue; (iii) the nature of the anticipated procurement or other transaction with the parent, affiliate, or subsidiary organization; the anticipated value of the procurement or other transaction; and the basis for making the procurement or other transaction with a parent, affiliate, or subsidiary organization; (iv) the basis for the Non-Federal Entity’s determination regarding the existence of an OCOI; and (v) how the Non-Federal Entity will avoid, neutralize, or mitigate the OCOI.

The Company recognizes that if the effects of the potential or actual OCOI cannot be avoided, neutralized, or mitigated, it shall procure goods and services from other sources when using DOE funds.

VI. SPEAK UP

All employees have an obligation to speak up. If you become aware of any actual or potential violations of this (or any other) policy, please use the Ethics & Compliance reporting channels to report it immediately.

Please remember that when you raise concerns or report wrongdoing in good faith, you are doing what’s right and Kraft Heinz will not tolerate any retaliation against you. If you think someone has retaliated against you or any other employee for raising a concern, let us know as soon as possible.

- Report online at KraftHeinzEthics.com
- Country specific reporting Hotline numbers are also available at KraftHeinzEthics.com
- You can also email ethics@kraftheinz.com