



Jumbo Human Rights and Environmental Impact Assessment – Southern Spain

January 2024

Issue 2

Contents

1. Executive summary	2
1.1. Summary of findings	2
1.2. Summary of key recommendations	4
2. Context and relevance of the HREIA.....	5
2.1. Aims	7
2.2. Objectives	7
2.3. Limitations	8
3. Supply chain context	9
3.1. Jumbo's commitment to human rights.....	11
3.1.1. Key policies.....	11
3.1.2. Relevant purchasing practices and procedures	11
3.2. Tier 1 suppliers.....	13
3.3. The farmer groups.....	19
3.4. Potential human rights supply chain risks	26
4. Key findings.....	28
4.1. High-level overview of human rights in the workplace.....	28
4.2. Understanding the HREIA findings	30
4.2.1. Assigning severity ratings.....	30
4.2.2. HREIA findings summary table	33
4.3. Case studies from local migrant communities	41
5. Recommendations.....	44
5.1. Effective implementation of Jumbo's HRDD commitments	45
5.2. Practical recommendations	46
5.3. Building internal knowledge and awareness	53
Appendix A: Methodology	54

1. Executive summary

A report published in the media earlier this year linking supermarkets to workers' rights abuses in Almeria and Huelva, Spain, prompted Dutch supermarket Jumbo to proactively assess human rights impacts in its Southern Spain agricultural supply chain. Commissioning Impactt to conduct a Human Rights and Environmental Impact Assessment (HREIA), Jumbo sought to understand key human rights impacts, potential root causes, and fulfill their legal responsibilities by preventing or mitigating adverse human rights impacts in its business operations.

Assessment activities included desktop research; remote stakeholder interviews with Jumbo management and representatives from the company's Tier 1 suppliers Bio Freshi and The Greenery Supplier; along with field visits in Southern Spain over a period of eight days between 22nd and 29th November 2023. During the visit Impactt visited four farmer groups (BioSabor, Agroponiente, Hortofrutícola Las Norias and Mabe), interviewed 64 predominantly male workers (89% male and 11 % female) in Jumbo's fresh vegetable supply chain from nine nationalities, and spoke with six migrant community stakeholders residing in the informal settlements within the region.

1.1. Summary of findings

Impactt identified adverse impacts across all grower sites, varying from low to high severity levels. No critical severity-level adverse impacts were found during the visit. Few practices exceeding minimal legal or basic human rights standards outlined in international frameworks were observed at grower sites. Notably, one site offered excellent rest facilities for workers during breaks, and another site provided a complimentary daily bus service for workers' transportation to and from the work site.

A number of adverse human rights impacts were identified by Impactt across almost/all grower sites. None of the grower sites had key labour-related policies in place and all sites lacked established processes in the key areas outlined in Table 1 below:

Human rights area	Potential/Actual adverse impact	Details
Fair and favourable conditions at work	Potential	Inadequate record-keeping practices observed across the sites, including the absence of on-site records documenting any trainings workers had completed, the lack of recorded information regarding loans or advances provided to workers at applicable sites, the absence of documented distributions of Personal Protective Equipment (PPE), and the lack of records regarding fire drills at sites where these were conducted.
Regular employment is provided	Potential	New workers lacked proper inductions during the onboarding process, and there was an absence of worker handbooks detailing company policies, procedures, and expectations for workers.
Regular employment is	Actual	Workers who received written contracts and payslips did not receive these documents in their native language, and

provided		there were insufficient measures in place to assist illiterate workers in accessing vital information through alternative methods, exacerbating communication barriers.
Working conditions are safe and hygienic	Potential	Provision of training for workers was largely limited to basic on-the-job training related to specific job roles, with insufficient coverage of important health and safety aspects such as the importance of PPE, protocols on emergency evacuations, and conducting periodic fire drills.
Wages are paid regularly	Actual	Workers reported confusion about pay calculations and did not fully understand the deductions made from their salaries, and there was a lack of awareness among workers about entitlements under the "Fijo Discontinuo" contract, especially regarding unemployment benefits during breaks between work seasons.
Access to grievance mechanisms and right to remedy	Actual	Non-utilisation of the mandatory grievance box stipulated by GRASP, with boxes being placed in public spaces, and an absence of an alternative formal anonymous grievance channel for workers, hindering effective communication and resolution of concerns.

Table 1: Key adverse human rights impacts identified across all grower sites

Certain human rights impacts were specific to one or few farms as detailed in Table 2 below:

Human rights area	Potential/Actual adverse impact	Details
Wages are paid regularly	Actual	Discrepancies in compensating workers for Sunday hours.
Regular employment is provided	Actual	Workers feeling financially constrained, continued working when unwell due to a belief that their employer did not offer paid sick leave, upon presenting a medical note.
No harsh or inhumane treatment is allowed	Actual	Intense supervision and pressure by management with workers fearing reprisals and job loss for raising concerns, and perceived discrimination, resulting in mental health strain and stress despite consistent pressure felt by all workers.
No discrimination is practiced	Actual	Discriminatory treatment by a supervisor, including excessive workload, intimidation, restricted breaks, and harsh treatment for balancing work and childcare.
Working conditions are safe and hygienic	Actual	Instances of pesticide exposure.

Table 2: Key human rights impacts specific or isolated to one or few farms

- One key cross-cutting finding identified through engagement with growers relates to water

scarcity. Although the region is known for its arid conditions with relatively low rainfall throughout the year, all the greenhouses visited were built to collect rainwater. None reported shortages affecting operations due to obligatory on-site water reserves required as a prerequisite for securing a bank loan and planning permission to build their greenhouse. Despite the reported increase in maintenance and desalination expenses, which has placed a strain on finances, none of the farm management individuals consulted by Impactt reported that these escalating costs had led to a reduction in workers' salaries or impacted the management's ability to align workers' wages with the increasing cost of living. However, it should be noted that Impactt cannot definitively confirm the absence of such impacts. Further evaluation is needed to conclusively determine the actual impact on workers in this regard.

- Impactt observed a significant lack of understanding among farmer groups and farm management regarding the involvement of 'semilleros' (seedling companies) in the supply chain. These companies are responsible for the initial growth phase of crop seeds in a separate greenhouse before transferring them to the main greenhouse for maturation until harvest, a common practice in Southern Spain's greenhouse farming. However, there was a notable lack of information regarding these entities' identities, management structures, workforce composition, working conditions, and associated human rights risks. This information gap poses a considerable blind spot for Jumbo, presenting a substantial human rights risk within its supply chain.
- The report contains five case studies that feature direct accounts from migrant workers living in informal settlements close to the greenhouses where they have sought employment. These case studies are crucial in highlighting the vulnerabilities of migrant workers in Spain who have either worked, are currently working, or are seeking employment in the greenhouse farming sector. Importantly, there's a potential for these workers to be currently involved or become part of Jumbo's supply chain. This risk is amplified due to the unpredictable fluctuations in labour demand within the industry.

1.2. Summary of key recommendations

While acknowledging Jumbo's strong commitment to ensuring fair labour practices, promoting HRDD practices, and upholding human rights aligned with international standards across the business; Impactt has identified three primary areas of concern for Jumbo where human rights risks and/or harms were present within its fresh vegetable supply chain in Southern Spain:

- 1) Within greenhouse farms employing migrant workers for cultivating and harvesting Jumbo's fresh vegetables.
- 2) In informal settlements near the greenhouses, where individuals have worked, are presently employed, or are seeking employment in the greenhouse farming sector. There is a possibility that these workers are or could become part of Jumbo's supply chain.

- 3) In the 'semilleros' (seedling companies) responsible for the initial growth phase of crop seeds in separate greenhouses. There is a notable lack of information among farmer groups and farm management regarding these entities, their workforce composition, and their hiring/employment practices.

Impactt's recommendations aim to address these identified areas of concern, focusing specifically on Jumbo's fresh vegetable supply chain in Southern Spain. It is important to note that Impactt's recommendations do not extend to Jumbo's broader operations outside the scope of this assessment.

Mitigating identified adverse impacts requires a collaborative approach and shared responsibility involving multiple stakeholders in the supply chain. Impactt presents practical recommendations for Jumbo and Tier 1 suppliers in this document. Additionally, specific recommendations targeting farmer groups and greenhouse farm management are outlined in separate Excel reports generated for each grower site, containing comprehensive assessment data collected during on-site visits.

- Jumbo should determine an ongoing Human Rights Due Diligence (HRDD) strategy within Southern Spain. It should prioritise balancing certifications with more extensive deep dive assessments focusing on critical human rights issues, which include in-depth interviews with workers in their native languages; promptly address identified impacts; and engage Tier 1 suppliers to collaborate with other supply chain actors to implement mitigation plans, monitor the effectiveness of corrective actions, and ensure transparent communication with all affected stakeholders regarding the resolution of human rights impacts throughout the supply chain.
- Additionally, Jumbo should focus on enhancing internal expertise among its team to understand specific human rights risks linked to product categories and geographic areas, with a heightened focus on high-risk regions like Southern Spain. Define clear responsibilities within the team for overseeing HRDD requirements; and ensure continuous learning through ongoing workshops, collaborations with experts, and access to resources to enhance their understanding and implementation of best practices for effective HRDD compliance throughout their supply chain operations.

2. Context and relevance of the HREIA

Spain is one of the leading producers of greenhouse-grown fruits and vegetables in Europe. Greenhouse fresh produce farming holds considerable importance for Spain's economy, providing employment, driving export revenues, and showcasing technological advancements and innovation in agriculture. The favorable climate conditions, particularly in regions like Almeria in Southern Spain, allow for year-round cultivation of various crops in controlled environments. The adoption of advanced irrigation techniques, climate control systems, and sustainable farming methods within these controlled environments has increased efficiency, yield, and quality of produce, thereby contributing significantly to the country's agricultural output and economic growth.

The greenhouse farming sector in Spain not only caters to domestic consumption but also plays a vital role in international markets, exporting a significant portion of its produce to other European countries and beyond. The production of crops like tomatoes, peppers, courgettes, and other vegetables in these greenhouses supports Spain's position as a major supplier in the global fresh produce market.

Greenhouse farming in Almeria has, in recent years, been associated with several concerns and risks pertaining to the human rights of migrant workers. This agricultural sector heavily relies on migrant labor, often hiring individuals from different countries, including North and Sub-Saharan African countries, Eastern Europe, and South America. While these workers are essential to sustaining the industry's productivity, several factors have been identified by various stakeholders as contributing to the vulnerability and precarious situation of these migrant labourers:¹

- **Working conditions:** Migrant workers in Almeria's greenhouse farms often face challenging and harsh working conditions. Long working hours, exposure to extreme temperatures inside the greenhouses, and physically demanding tasks contribute to their overall wellbeing and safety concerns.
- **Low wages and exploitation:** Reports have highlighted instances of low wages and exploitation within the industry. Migrant workers might be paid inadequately or even subjected to unpaid overtime, undermining their economic rights and livelihoods.
- **Lack of social protection:** Many migrant workers in the greenhouse farming sector lack proper access to social protection, including health care, housing, and legal support. This absence of social safety nets further exacerbates their vulnerability.
- **Inadequate housing conditions:** Housing for these workers is often substandard, with overcrowded accommodations and poor living conditions, which directly impact their rights to adequate housing and a dignified standard of living.
- **Limited unionisation and representation:** Migrant workers might face obstacles in unionising or accessing representation, making it challenging for them to voice their grievances or negotiate for better working conditions.
- **Discrimination and marginalisation:** Migrant workers, due to their status and origin,

¹ See, for example:

[Almeria: the true cost of our fruit and veg \(2023\)](#)

[Migrant seasonal workers in the European agricultural sector \(2021\)](#)

[Consumers are not aware we are slaves inside the greenhouses \(2019\)](#)

[The vulnerability to exploitation of women migrant workers in agriculture in the EU: the need for a Human Rights and Gender based approach \(2018\)](#)

[Migrant Workers in Commercial Agriculture \(2016\)](#)

[United Nations Special Rapporteur on extreme poverty and human rights \(2020\)](#)

might face discrimination or marginalisation, impacting their rights to fair treatment and equal opportunities.

These issues collectively make the greenhouse farming sector in Almeria a high-risk environment for the rights and wellbeing of migrant workers.

A report published earlier this year by The Ethical Consumer connected UK supermarkets to “endemic workers’ rights abuses in the Spanish regions of Almeria and Huelva, through their fruit and vegetable supply chains”.² This encouraged Dutch supermarket Jumbo to take proactive measures to evaluate the actual and potential human rights impacts associated with its agricultural supply chain operations based in Southern Spain. The purpose was to better understand the key risks and root causes, enabling Jumbo fulfill its legal responsibilities by preventing or mitigating adverse human rights impacts related to its business operations.

2.1. Aims

The primary aims of the HREIA were to:

- Comprehensively assess how Jumbo’s business activities impacted human rights within its supply chain operations.
- Identify potential risks or areas where human rights might be compromised or adversely affected due to business operations or supply chain activities.
- Identify any impacts of changing water levels in Spain on producers.
- Provide practical recommendations and strategies to address identified human rights issues.

2.2. Objectives

In pursuit of these aims, Impactt sought to:

- Examine policies, practices, and operations of relevant supply chain actors to identify potential human rights impacts.
- Engage with relevant stakeholders to gather their perspectives, concerns, and recommendations regarding human rights impacts associated with Jumbo’s supply chain.
- Assess adherence to key local labour laws in accordance with the human rights indicators.
- Develop clear and actionable recommendations to address identified human rights issues, outlining steps for improvement or remediation.

Details of Impactt’s HREIA methodology, which was guided by The Danish Institute for Human Rights framework and aligned with the UNGPs and OECD Due Diligence Guidance for Responsible Business Conduct, are provided in [Appendix A](#).

2.3. Limitations

² [Report: Supermarkets and migrant workers’ rights abuses in Spain \(2023\)](#)

While the assessment fulfilled the research objectives, Impactt acknowledges the following limitations:

- **Incomplete data provided on the workforce profiles:** During the visits to farmer groups and grower sites, it became apparent to Impactt that the initially provided information regarding workforce demographics, including the total number of workers and their nationalities, was incomplete. However, Impactt addressed this limitation by gathering all the relevant information during the opening meetings with farmer groups and subsequently verifying and validating this data during visits to the grower sites through discussions with farmer owners or management.
- **Timing changes:** Impactt encountered a late request from the farmer group 'Acrena' to adjust the schedule for the site visit, which regrettably could not be accommodated. Consequently, Acrena and its two grower sites were not included in this HREIA. Impactt maximised the additional time by spending more time at grower sites to conduct interviews with a larger number of workers and engaging in more extensive discussions with the remaining four farmer groups during the closing meetings.
- **Pre-notification of Impactt's visit:** Informing the farmer groups and growers of Impactt's impending visit could be considered a limitation for the assessment. The advance notice might give individuals the opportunity to prepare or make temporary changes to its practices or conditions specifically for the assessment, and/or influence the behaviour of farm workers or management, impacting their responses or actions during the assessment, potentially portraying an altered or different impression that does not accurately represent the day-to-day reality.

However, conducting announced visits offered certain advantages. Impactt was able to plan the visit more effectively, allowing sufficient time for discussions, fostering positive relationships with farmer groups, and creating a cooperative atmosphere for more productive interactions. This preparation led to farmer groups and growers better understanding the assessment's purpose, potentially resulting in more meaningful and detailed responses. They managed operations to minimise disruption, prepared necessary documentation, and ensured key personnel were available, enhancing data collection efficiency during the visit.

- **Management presence at grower site:** During the site visit to AGROLÓPEZ SIGLO XXI, SL, Impactt observed the supervisor closely working alongside interviewers within the same greenhouse. Workers appeared hesitant, responding with brief sentences, indicating some discomfort in sharing information. The absence of a communal rest area posed challenges for conducting worker interviews in private. Notably, farmer group management was present at the grower's site throughout Impactt's visit, both inside and outside the greenhouse. While not directly influencing the process, their mere presence, in conjunction with the supervisor, might have affected the workers' willingness to speak more openly with Impactt.

3. Supply chain context

In the southern region of Spain, Jumbo procures its fresh vegetables from two Dutch suppliers: Bio Freshi and the Greenery. Bio Freshi and the Greenery are Jumbo's Tier 1 suppliers for fresh vegetables, establishing them as key connections linking Jumbo to the broader supply chain. The Tier 1 suppliers act as intermediaries between the supermarket and the farming cooperatives or associations ("farmer groups"), procuring the produce to supply to Jumbo. These farmer groups, in turn, source from greenhouse farms in Southern Spain that specialise in cultivating their desired product, which are either affiliated as members, partners, shareholders, or owned by their respective farmer groups. Individual growers are the primary source of fresh vegetables. They cultivate, grow, and harvest the vegetables within controlled environments, to ensure a consistent and quality supply of produce. The structure and set-up between farmer groups and individual growers can vary.

All workers employed across the grower sites visited by Impactt were hired under 'fijo discontinuo' contracts. This arrangement mandates that while the workers hold permanent contracts, they can claim unemployment benefits during periods of low or no work. As per this contract, they are assured of being called back when the farm requires their services again. This practice was encouraged by the Spanish government post the 2022 labour reform to phase out the use of temporary contracts in seasonal businesses.

The following diagram provides an outline of the supply chain within Jumbo's scope for this HREIA:

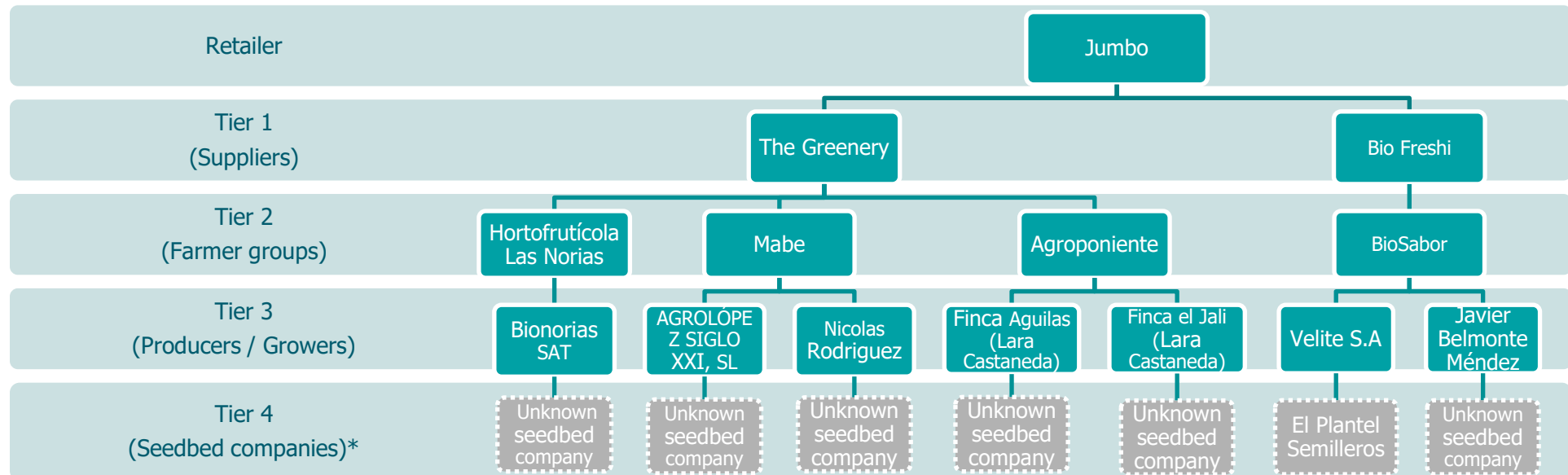


Diagram 1: Overview of Jumbo's supply

***Seedbed companies** – The employment of 'semilleros' (seedling companies) is widespread in greenhouse farming. These entities are responsible for initially planting crop seeds in a separate greenhouse, where the initial phase of crop growth occurs. Subsequently, the developed plant is transferred to the greenhouse where it will mature until harvest. Velite S.A farm acknowledged the likelihood of employing migrant workers in the greenhouses associated with seedling companies. Nicolas Rodriguez farm also affirmed the utilisation of seedling companies throughout the greenhouse industry. However, the management could not recall the specific name of the seedling company utilised. Impactt recommends conducting further research and comprehensive mapping to better understand the seedling companies employed by each farm and to assess potential risks within this tier of the supply chain.

3.1. Jumbo's commitment to human rights

Impactt sought to understand the supermarket's potential influence as a key player capable of driving collective efforts towards ethical supply chain practices within its fresh produce supply chain in Southern Spain.

3.1.1. Key policies

Impactt reviewed key policies demonstrating Jumbo's strong commitment to ensuring fair labour practices and upholding human rights across its supply chain in line with international standards.

The Corporate Social Responsibility (CSR) Conditions mandated for Tier 1 suppliers emphasise social compliance, ensuring adherence to ILO guidelines and certifications supporting fair labour practices. Requirements include traceability, Global G.A.P. certifications, and adherence to social standards.

Jumbo's Human Rights Policy underscores the company's commitment to human rights protection, aligning with international standards and treaties. The policy emphasises due diligence, human rights impact assessments, corrective action plans, and a continuous learning approach, acknowledging limitations in certification-based approaches.

Their Due Diligence Policy, aligned with UNGPs and OECD Guidelines, focuses on risk identification, gender equality, and continuous improvement efforts. The policy aims to address human rights challenges in various high-risk food chains through ongoing learning and engagement with suppliers and stakeholders.

3.1.2. Relevant purchasing practices and procedures

The following insights were obtained from interviews with Jumbo management, specifically concentrating on their involvement in procuring fresh vegetables from Southern Spain.

- **Ethical sourcing policies:** While company-wide ethical considerations are being integrated into various policies³; management interviews indicated that in practice the company's focus on responsible sourcing within its fresh produce supply chains in Southern Spain was relatively limited and continuously evolving. There were no incentives for Jumbo's Buying or Quality Teams tied to ethical performance.
- **Supplier onboarding and contractual agreements:** Jumbo initiates contracts when placing orders with suppliers, focusing on product specifications, pricing, and delivery terms. These contracts have standardised documentation outlining terms and conditions that suppliers need to adhere to, ensuring clarity and accountability in the procurement process. They are revised and signed regularly through Jumbo's contract system. Suppliers are

³ For example, CSR Conditions, Code of Conduct, Human Rights, and Due Diligence policies.

obligated to sign various documents annually as part of their contract. These cover quality control, CSR conditions, and Jumbo's Code of Conduct, affirming their commitment to maintaining set standards throughout the contract. Efforts are underway by Jumbo to streamline the onboarding process into a more comprehensive and singular document for ease and efficiency. Management acknowledged the opportunity for improvement by actively engaging in discussions and integrating ethical criteria into supplier negotiations and contracts.

- **Ethical sourcing practices:** Jumbo mandates new suppliers to demonstrate compliance with its social standards by completing surveys and providing certifications and audit reports that prove adherence to social compliance standards. These documents are uploaded onto Jumbo's contract information system before commencing business transactions. Jumbo expects suppliers to uphold ethical practices and respect human rights within the supply chain. However, there appeared to be minimal integration of ethical practices within supplier contracts. Suppliers are instructed to read and sign Jumbo's CSR Conditions and Code of Conduct.
- **Supplier engagement:** Jumbo has biweekly meetings with major suppliers, and less frequent interactions with smaller ones, discussing quality, specifications, and occasional CSR topics. Jumbo does not engage in discussions with suppliers about ethical requirements during negotiations. It was acknowledged that Jumbo's Buyer and Quality Teams felt insufficiently equipped to hold proper conversations with suppliers regarding ethical practices and human rights issues. Jumbo is starting to explore ways to improve ethical sourcing practices through their specialised core teams and cross-functional team engagements.
- **Traceability and transparency:** Jumbo maintains a database with relevant information regarding their Tier 1 suppliers, as mentioned above under 'Supplier onboarding and contractual agreements'. However, there were recognised gaps in the depth of understanding and oversight that Jumbo maintains over actors beyond Tier 1 in its supply chain, including a lack of comprehensive insights into workforce demographics at the grower level.

When Impactt initially requested worker data at the start of the project to select grower sites for assessment, Jumbo did not possess this information. It took several weeks to obtain this data from the farmer groups, who, Impactt understands, had to request it from the growers. However, upon arrival at the grower sites, it became apparent that much of the provided workforce data was inaccurate, including details such as the number of on-site workers and the nationalities present.

Consequently, there was a significant limitation in assessing and ensuring the incorporation of ethical compliance and social responsibility practices among supply chain participants beyond Tier 1 suppliers. Jumbo's Senior Buyer noted that since taking the role of buying fresh vegetable from Spain two years ago his team had spent two days in Spain visiting

some farmer groups and growers Jumbo sourced from, acknowledging that “we have a long way to go in understanding our supply chain”. During the visit discussions mainly centred around quality and materials, and very few workers were observed given the time of year.

- **Training:** Annually, Jumbo conducts training sessions emphasising general ethical concerns with suppliers. Acknowledging the significance of integrating ethical practices and human rights expectations into discussions with suppliers and ensuring these messages reached growers, the Buyer and Quality teams expressed a need for additional training. There was a suggestion that they would benefit from more detailed guidance on how to initiate these conversations with farmer groups, including what specific points to address; effectively communicating Jumbo's core messages and expectations to the growers; and the ethical influence they have over other actors in the supply chain and how this influence could shape conversations and expectations, potentially leading to positive outcomes for workers. No training was provided to Jumbo's Tier 1 suppliers to promote human rights awareness, ethical practices, and the significance of complying with relevant regulations.
- **Internal resources:** The Jumbo team is keen to enhance HRDD and take a more proactive stance in engaging its Tier 1 suppliers and other actors in the supply chain concerning responsible sourcing and decent work practices. However, a notable challenge stems from the restricted resources dedicated to these efforts, impeding their ability to drive these initiatives internally. The limited number of individuals involved, although dedicated and seen to be doing a great job, would greatly benefit from additional internal support and momentum to further strengthen these efforts. Expanding the team or providing additional resources could amplify their effectiveness in advancing responsible sourcing and ethical practices within the company's supply chain.
- **Supplier performance evaluation:** Supplier performance evaluation appears to be primarily based on product quality and cooperation rather than ethical considerations. Discussions around compensation or assistance for damaged produce are used to assess performance and resolve issues. The contractual agreements do not explicitly outline sanctions or penalties for non-compliance with Jumbo's ethical and human rights standards. Instead, Jumbo relies on discussions and corrective actions to address any breaches. However, if a supplier consistently demonstrated non-cooperation, the possibility of payment stoppages may be considered.

3.2. Tier 1 suppliers

Perspectives and insights collected from Jumbo's Tier 1 suppliers as detailed in Table 3 below have provided Impactt with a deeper understanding of Jumbo's commitment to ethical sourcing practices, identification of primary risks within its Tier 1 supply chain, and opportunities for Jumbo to influence positive change within its fresh produce supply chain by driving greater supply chain transparency and promoting human rights through leveraging its relationships with suppliers.

Key points outlined in Table 3 below include:

- **Contracts and practices:** Bio Freshi and The Greenery engage in biannual negotiations with Jumbo regarding vegetable categories, typically relying on verbal agreements and trust-based interactions.
- **Transparency and compliance:** Neither Bio Freshi nor The Greenery has formal written contracts with Jumbo concerning ethical practices and adherence to human rights. However, Jumbo has emphasised the need for transparency in Bio Freshi's supply chain after public reports of human rights issues in 2021 affecting migrant worker issues in Spain.
- **Certifications and audits:** Both Bio Freshi and The Greenery conform to SIFAV guidelines. The Greenery prioritises compliance with standards like GLOBAL GAP-GRASP and SMETA in selecting farmer groups. The 2021 human rights issues prompted BioSabor to pursue SMETA certifications for their growers. Both suppliers prioritise certifications over direct negotiations on fair labour practices or human rights.
- **Human rights awareness:** Impactt observed limited awareness among both Bio Freshi and The Greenery concerning specific human rights risks, particularly regarding migrant workers' conditions in Southern Spain.
- **Monitoring and observation:** Neither Bio Freshi nor The Greenery directly interacts with growers, relying on certifications from farmer groups, limiting visibility at the farm level. The Greenery deemed on-site monitoring of growers by Tier 1 suppliers impractical.
- **Challenges in the organic sector:** Both Bio Freshi and The Greenery reported several challenges in the organic fresh produce sector in Southern Spain, including weather-related impacts on produce quality and availability (growth), market fluctuations influencing crop growth and supply chain, and concerns regarding water scarcity.

	Bio Freshi	The Greenery
General	Bio Freshi is part of the Jansen Dung group, a Dutch entity which serves as the primary supplier to Jumbo. Established in 2006, Bio Freshi operates independently as an organic entity but maintains a close collaboration with Jansen Dung. The supply chain flows from Jumbo being supplied by Jansen Dung, who, in turn, is supplied by Bio Freshi. Bio Freshi sources its products from the cooperative, BioSabor. Bio Freshi engages in Capacity Management Inventory (CMI) planning to facilitate uninterrupted supply for Jumbo. This process grants visibility into the shops' orders from the distribution centre, the remaining produce in the warehouse, and the necessary quantity Bio Freshi should deliver to the warehouse within 12 to 48 hours.	The Greenery is a corporation owned by Dutch growers, plays a pivotal role in Jumbo's supply chain by primarily providing fresh vegetables (also fresh fruit). The Greenery also supplies to other clients. Acting as an intermediary, it manages the entire process until the products reach Jumbo. The Greenery primarily utilises existing networks and connections to engage with farmer groups directly associated with growers. They do not specify individual growers from whom the product originates, relying instead on the farmer group's selection process. The Greenery partners with various farmer groups, including Agroponiente, Hortofructícola Las Norias, and Mabe, to procure its products.
Contractual agreements	- Contracts between Bio Freshi and Jumbo for organic vegetable categories involve negotiations for biannual agreements covering summer (April-October) and winter contracts (October-April). These negotiations generally rely on verbal agreements and trust-based dealings. Bio Freshi's arrangements with its own suppliers, such as BioSabor, also rely on verbal contracts and are established on trust cultivated over years of business partnership. - The Senior Buyer at Jumbo plays a pivotal role in discussions with Bio Freshi, focusing on quality, volume, and pricing of organic produce. Meanwhile, Jansen Dung handles planning and logistics to ensure the consistent delivery of required produce, combining both organic and non-organic items, to Jumbo's distribution centre six days a week. Approximately 35 lines of organic produce, including cucumbers, various tomatoes, peppers, aubergine, and courgettes, are supplied to Jumbo. Following discussions between Jumbo and Bio Freshi, a detailed list specifying products, prices,	- Contracts between The Greenery and Jumbo involve negotiations for biannual agreements covering summer (April-October) and winter contracts (October-April). These negotiations generally rely on verbal agreements and trust-based dealings. Pricing agreements with farmer groups often include fixed prices, with adjustments made in extreme cases due to significant market changes. - Contracts between The Greenery and farmer groups involves a combination of written agreements and trusted relationships, aiming to reach solutions and foster understanding. When operating with farmer groups, The Greenery primarily agrees on fixed prices per season, although flexibility exists to negotiate a weekly fixed price if the farmer group is reluctant to agree on a fixed price or if The Greenery deems the fixed price too high, with approximately 80% adhering to fixed prices. Concerning damaged produce under the fixed price agreement, payment is only made

	Bio Freshi	The Greenery
	and meeting notes is circulated via email to relevant individuals from both companies, ensuring awareness of the agreed-upon terms for the next six-month season, referred to as something like 'Programme summer 2024 vegetables'. Jumbo retains the freedom to negotiate with other suppliers and has the option to discontinue contracts with Bio Freshi after each six-month period. Bio Freshi relies on advance volume information from Jumbo which are vital for scheduling field planting and coordinating the workforce resources of Bio Freshi's own suppliers (e.g. farmer groups).	for the delivered goods, mirroring the principle where Jumbo does not remunerate The Greenery if they fail to deliver. In exceptional circumstances when significant market changes occur post-contract, The Greenery may reconsider the set price, although this is not standard practice. For instance, if the farmer group faces challenges in selling at the agreed price or faces product shortages, The Greenery seeks solutions in collaboration with Jumbo.
Pricing	For both suppliers, the costs disclosed to Jumbo encompass the price calculations paid to the supplier, the supplier's direct costs, and the profit margin percentage taken by the supplier. The suppliers do not receive a detailed breakdown of pricing from its own suppliers indicating worker remuneration. As a result, neither the Jumbo nor the suppliers can determine from these calculations whether workers are receiving a fair wage in compliance with national legal requirements.	
Ethical requirements and human rights risks	- As a SIFAV partner, Jumbo requires its Tier 1 suppliers to source fruits and vegetables from producers that are audited or certified with one of the standards accepted under the respective SIFAV Baskets of Social Standards, which includes ETI/SMETA ethical audits as well as Global Gap-GRASP as options. Aligning with SIFAV sustainability standards has been mandatory for Jumbo suppliers outside Europe, but it has not been necessary for European suppliers until now. All suppliers supplying to Jumbo must fully align with SIFAV standards by 2025. - As there is no formal written contract with Jumbo, there are no written specifications regarding Bio Freshi's ethical compliance and social responsibility practices, or those of their sourced entities. Previously, Bio Freshi has been required by Jumbo to sign documents referencing sustainability and ethical considerations. - After the emergence of human rights issues affecting migrant workers in Southern Spain involving BioSabor in 2021, Jumbo emphasised ethical standards and human rights expectations with Bio Freshi, highlighting the need for transparency across Bio Freshi's entire supply chain. Following these events, BioSabor	- Both The Greenery and Jumbo are members of the SIFAV initiative, adhering to its guidelines for supplier certifications. However, Jumbo has not specifically discussed ethical standards or human rights with The Greenery beyond these certification requirements. - The Greenery's selection of farmer groups is managed by their Quality Assurance Department, focusing on criteria such as compliance with industry standards like GLOBAL GAP-GRASP and SMETA. Negotiations do not specifically address fair labour practices or human rights, with other factors like price and

	Bio Freshi	The Greenery
	initiated the process of obtaining SMETA ethical audits for all their growers, a measure not explicitly mandated by Jumbo for Spanish producers (outside of the SIFAV requirements) but required by other European suppliers sourcing from BioSabor. Consequently, BioSabor is now rolling out the implementation of this audit process. Bio Freshi, to date, has been required by Jumbo to undergo the Global GAP-GRASP audit and provide relevant certification to demonstrate compliance. Bio Freshi is collaborating with Jumbo to implement the SIFAV audit and meet these requirements, acknowledging that achieving compliance will require some time. Bio Freshi commented that this experience with Impactt marked the first time Bio Freshi had engaged in any such HREIA.	product availability considered. In most cases, growers already possess the necessary certifications due to similar requirements from other market retailers. The Greenery verifies the certifications to ensure the fulfilment of essential standards. - The Greenery is aware of potential human rights risks, particularly regarding migrant workers' conditions among Spanish growers, through media reports mentioning labour exploitation in Southern Spain. However, it does not have firsthand experience with reports of this nature. - The Greenery relies on a trust-based process, ensuring suppliers demonstrate compliance with specific ethical standards through the submission of relevant certifications. This approach enables them to avoid partnerships with companies displaying poor social practices. As they do not have direct engagement with growers, visibility into potential issues at the farm level is limited. - Recognising the importance of upholding ethical standards in Jumbo's supply chain, The Greenery actively pursues compliance among other supply chain actors within their sphere of influence. They establish business relationships exclusively with entities capable of proving adherence to relevant certifications by growers. Ensuring alignment with Jumbo's elevated requirements is considered a significant responsibility. However, The Greenery emphasises the impracticality of on-the-ground monitoring and observation, deeming it unrealistic.
Challenges	The organic sector faces weather-related challenges. Excessive rain, intense sun, or heat waves in Spain can hinder produce growth. Daily challenges for Bio Freshi include meeting specifications, maintaining quality, ensuring adequate volume, and	Water scarcity is increasingly becoming a significant risk and a prominent subject, demanding more sustainable practices. The certification market is growing in response to these challenges, notably in areas experiencing extreme weather conditions and

Bio Freshi	The Greenery
securing produce availability. Bio Freshi remarked that working in the organic produce requires them to have complete focus due to the multitude of challenges demanding management – suggesting that working in this particular field presents various difficulties and complexities that require their full attention and careful management to handle and address these challenges effectively.	unpredictable heat. The impact of these factors is evident in rapid crop growth, such as with capsicums, which affects quality by thinning the skin, necessitating quicker product movement. Conversely, cold weather can halt growth, as seen with courgettes and eggplants during dark days, resulting in far-reaching consequences across various aspects of production.

Table 3: Insights and perspectives collected from Jumbo's Tier 1 suppliers

3.3. The farmer groups

Impactt conducted visits to four farmer groups in Almeria/Murcia, engaging in both pre- and post-farm producer discussions. These groups, operating as collectives, all work slightly differently with their producers to facilitate the sale of fresh produce for producers to retailers/retailers' suppliers, and offer technical guidance at the farm level. The farmer group technical teams are on site at the producers' farms on a regular basis. During each visit, Impactt held opening and closing meetings with farmer group management, interviewed various management representatives, and reviewed relevant documents (e.g., policies and producer contracts). Impactt gathered insights into the farmer groups' approaches in working with their producers and suppliers for Jumbo (The Greenery and Bio Freshi), covering areas like purchasing practices and responsible business approaches.

Perspectives and insights gathered from farmer groups, outlined in Table 4, underscored varying approaches concerning compliance, documentation handling/management, profit sharing, and monitoring practices among these entities. These insights revealed varying levels of maturity regarding responsible business practices and HRDD measures implemented by these groups. While certain groups had dedicated sustainability teams focusing on human rights at the producer level, others delegated this responsibility to their technical, quality, and HR teams.

Key points outlined in Table 4 below include:

- **Onboarding and compliance:** There are diverse onboarding processes across entities. While BioSabor involves initial assessments and internal social audits, Hortofrutícola Las Norias' evaluation lacks a social element. Compliance involves signing contracts and adhering to codes of conduct.
- **Audits and compliance standards:** Compliance standards like GRASP, SMETA, and Global GAP are commonly applied, but the frequency and extent of audits differ among entities. Agroponiente commissions GRASP audits, while Hortofrutícola Las Norias uses GRASP for selected farms. Mabe mandates GRASP compliance.
- **Price determination and payment terms:** Payment terms range from 30 to 45 days, varying across entities. Price determination methods also differ: BioSabor and Agroponiente align prices with market rates, while Hortofrutícola Las Norias sets quoted prices.
- **Responsibility for workers' documentation:** Entities differ in their approaches to managing workers' documentation. Some companies handle it internally (like Hortofrutícola Las Norias), while others rely on partners or collaborators to manage this aspect.
- **Monitoring and quality checks:** Monitoring activities focus on various aspects, with some entities emphasising produce quality rather than labour conditions during farm visits.
- **Profit distribution and producer relations:** BioSabor focuses on maximising profits for producers, while Mabe and Agroponiente charge commissions for their services, affecting profit distribution between the company and the producer.

Farmer group	BioSabor*	Agroponiente	Hortofrutícola Las Norias	Mabe
Product(s) sourced to Jumbo	Tomatoes	Aubergine, courgette, tomatoes	Courgette	Peppers
Quantity of produce supplied last season	35 million kg supplied to Bio Freshi.	1,800,000kg provided to The Greenery.	1,500,000 kg provided to The Greenery.	5,743,690 kg provided to The Greenery.
Purchasing practices (e.g. how fresh vegetables are purchased from growers)	- BioSabor is a collective formed of partners. These include: four brothers who founded the company, other family members such as cousins, and BioOrganic – a group formed of ‘collaborators’ (i.e. producer farms that work with BioSabor). There are a total of 70 partners/collaborators. - Both partners and collaborators are subject to the same requirements from BioSabor. - Partners and collaborators sell their produce through BioSabor.	- Agroponiente is split into three ‘branches’ to source their vegetables: own production (of which there are seven farms); associates (of which there are 170 producers); and auctions. - Own production includes farms that are owned and run by Agroponiente themselves (under the company name Lara Castaneda S.A), associates include independent growers who work with Agroponiente as a group to sell their produce, and Agroponiente group also hold auctions where independent growers are able to sell their produce. - Internal produce management systems keep the produce from the three	- Hortofrutícola Las Norias source from one own production farm (Bionorias), otherwise they work with around 200 ‘collaborators’ who are part of the collective. - Collaborators sell their produce to retailers through Hortofrutícola Las Norias.	- Mabe works with ‘partners’ (growers) who are part of their cooperative. There are a total of 480 partners. - Partners sell their produce through Mabe.

Farmer group	BioSabor*	Agroponiente	Hortofrutícola Las Norias	Mabe
Purchasing terms as relevant to Jumbo's independent commitments to responsible business practices	- Producers typically have longstanding partnerships with BioSabor. The onboarding process for new producers at BioSabor involves initial assessments by the technical team to evaluate the viability of their farms. New producers undergo a sequence of steps: first contact by the technical team, followed by an internal social audit. In their first year, new partners have three internal audits; successful results lead to onboarding after the initial year. - All partners and collaborators of BioSabor sign a contract committing to comply with BioSabor	branches separate. Any growers involved in the three 'branches' of the Agroponiente group have to sign and adhere to the company's Code of Conduct, which includes clauses on legal compliance, ethical conduct, respecting human rights, environmental sustainability, and reporting of non-compliances against the code.	- All collaborators sign a contract with Hortofrutícola Las Norias, however this does not contain clauses on social/labour rights. - Any new collaborators of Hortofrutícola Las Norias have a technical evaluation prior to being accepted as collaborators, however there is no social element to this evaluation. - The manager and worker representative at sites used by Hortofrutícola Las Norias have to sign a 'self declaration of good social practices', this includes topics such as ensuring workers are treated in line with national legislation, ILO conventions ratified by Spain, as well as the local collective bargaining agreement (CBA).	- All partners have to sign a contract when joining Mabe. The contract details a set of standards that partners must comply with. - The only reference to social/ethical compliance made is that partners must comply with Global GAP-GRASP requirements. - For any new partners entering the collective, Mabe conducts an initial evaluation, rating the producer against 11 key evaluation points. If they pass, they become a partner of the group. Within the first year, partners are re-assessed three times to ensure they continue to meet Mabe's requirements. - After the first year, partners are assessed on a regular basis, if not

Farmer group	BioSabor*	Agroponiente	Hortofrutícola Las Norias	Mabe
	procedures, policies, technical recommendations, and Global GAP and GRASP regulations. The contract outlines consequences for non-compliance. All partners and collaborators must sign BioSabor's Ethical Code of Conduct, covering health and safety, regular employment, fair wages, child labour, overtime, and freedom of association clauses.			adhering to the requirements, they can be removed as a partner.
Price negotiations, and how prices are calculated	Collaborators and partners sell their produce through BioSabor. BioSabor makes enough profit to pay their own staff and overheads, but the ambition of BioSabor is to acquire the highest yields for the producers. All remaining profits are given to the producer.	- Lara Castaneda (company name for own production sites) sells own produce to suppliers/retailers. - Agroponiente charges a commission to its associates to cover their own internal costs, with prices for their produce either fixed (agreed beforehand) or variable (based on market prices on the day of sale), depending	Collaborators bring their produce to Hortofrutícola Las Norias and are informed of the daily quoted price for the courgette. This cost has been quoted to include Hortofrutícola Las Norias take a percentage of the profit from the courgette to cover their internal costs and the rest of the profit goes to the grower at the quoted price, depending on what was sold	Mabe sells the produce at market rate at time of sale. They take a percentage of the profit for themselves (to cover their own costs) and the rest of the profit goes to the grower.

Farmer group	BioSabor*	Agroponiente	Hortofrutícola Las Norias	Mabe
How farmers are paid	There is no fixed price for produce. Price is dependent on the market price on the day of sale. All collaborator and partner farms receive the same price for their vegetables depending on the day they're sold.	- on the associate's choice. - Agroponiente holds auctions for producers (they source very little produce from the auctions), where the agreed price at the auction determines their profit or loss based on the day's demand. Agroponiente charges commissions from the sale price as payment for holding the auction, with farmers incurring higher charges compared to associates.	and if any discounts need to be made for produce quality, referred to as 'second category' produce.	
	Payment terms are 45 days from the date of receipt of produce by BioSabor.	- For associate producers, payment terms are 21 days from receipt of produce by Agroponiente. - Farmers who use the auction receive payment within 1 week of the auction.	Payment terms are 30 days from the date of receipt of produce by Hortofrutícola Las Norias.	Payment terms are 30 days from the date of receipt of produce by Mabe.
Relevant certifications and through which type of auditing process	BioSabor mandates GRASP audits annually for partners and collaborators. Starting in September 2023, they began SMETA audits at 12 out of 70 farms and	- All own production sites are audited through GRASP on a yearly basis. - The audit company selected by Agroponiente to conduct the GRASP audits also selects a sample of Agroponiente	Hortofrutícola Las Norias does not require its collaborators to commission GRASP or SMETA audits as a condition of working with them. Certain farms that want to be GRASP certified, or that already are part of the	Required by supermarkets such as Jumbo and Lidl to commission an annual Global Gap (GRASP) audit conducted by an independent third party. Mabe producers are

Farmer group	BioSabor*	Agroponiente	Hortofrutícola Las Norias	Mabe
	aim to cover all 70 farms by August 2024. Their goal is to conduct both SMETA and GRASP audits annually on producer farms, aiming to assure retailers they work with that seek to set the highest standards. Additionally, BioSabor conducts at least one internal audit per season on partner/collaborator farms. These internal audits, led by Lorena Gimenez from the BioSabor sustainability team, involve reviewing payslips, contracts, conducting interviews with a sample of workers (in Spanish), and inspecting rest areas, first aid kits, extinguishers, and fire drills.	associates each year to be audited. As a result, associate producers are not necessarily audited on an annual basis. Since Agroponiente commissions these audits, they receive the reports straight from the audit company. - Producers that auction their produce using Agroponiente auctions are not required to conduct GRASP audits. Produce sourced from auctions is kept separate from certified produce. - Agroponiente annually conducts internal audits on their own production sites and associate producers. A team of Agroponiente staff has been trained in Global Gap methodology to conduct these.	scheme (e.g. BioNorias [their own site], are the farms that Hortofrutícola Las Norias uses to supply produce to retailers that require GRASP certification. Retailers that do not have this requirement receive the uncertified produce. Hortofrutícola Las Norias visits the farms they work with twice per month – however this is to check on produce quality and conditions, rather than labour conditions for workers.	required to comply with GRASP. - Mabe also complete the SEDEX SAQ, the results of which are shared with retailers via the platform. - Mabe conduct internal audits of their growers twice per year using the GRASP checklist (n.b. this does not include worker interviews).
Oversight of worker documents	BioSabor partners and collaborators are entitled	Agroponiente HQ Human Resources (HR) team is	Hortofrutícola Las Norias internal HR team is responsible	Mabe's partners are responsible for their own

Farmer group	BioSabor*	Agroponiente	Hortofrutícola Las Norias	Mabe
	to use BioSabor HR team to process workers' contracts, payslips and timesheets. In reality, it is only the Partner's farms that use this resource. Collaborators prefer to use their own third party 'gestorias'. ⁴	responsible for the creation and processing of workers' contracts, payslips and timesheets for all own production sites. Agroponiente associates and auction users are responsible for their own workers' documentation.	for the creation and processing of workers' contracts, payslips and timesheets its own production site. Hortofrutícola Las Norias collaborators are responsible for their own workers' documentation.	workers' documentation. This is typically outsourced externally to a 'gestoria'.

Table 4: information gathered from Impactt's farmer group visits and interviews

***Good practices observed for BioSabor:**

BioSabor is in the process of designing and conducting training for workers from their producers' sites. The training covers topics such as minimum wage, how to raise grievances (verbally through their manager, boss or worker representative, or physically using the grievance box on site), as well as content of BioSabor's social responsibility policy and ethical code of conduct. Some of the documents mentioned in the training have been translated into Arabic, however the training itself will be conducted in Spanish. During Impactt's visit to BioSabor HQ, Impactt discussed with the BioSabor team the potential incorporation of using an interpreter during training for workers that do not speak Spanish, as well as the creation of a worker handbook in workers' own languages for when they join the farm.

⁴ In Spain, the general practice is for smaller enterprises to use an external 'gestoria' (agency) to manage this on the company's behalf.

3.4. Potential human rights supply chain risks

Absence of written contractual agreements: The absence of explicit written agreements concerning ethical compliance and human rights practices with suppliers and their sourced entities indicates a lack of formalised measures ensuring adherence to ethical standards and human rights across the supply chain. This heightens the risk of various human rights violations within the supply chain, impacting workers' rights, safety, and overall wellbeing. This can occur due to the absence of mechanisms holding supply chain actors accountable for avoiding practices deemed harmful to workers. Additionally, this undermines Jumbo's policies and procedures around ethical sourcing, supplier onboarding and contracting given that there is no written confirmation of suppliers adhering to these. Moreover, this extends to lower tiers of the supply chain where human rights risks are heightened. In the absence of explicit written requirements at Tier 1 outlining the practices suppliers should adhere to and propagate down the supply chain to subsequent tiers (e.g. farmer groups and farm management), it becomes challenging for suppliers to fully grasp the expectations placed on them, limiting Jumbo's ability to exert significant influence regarding expectations beyond this tier.

Overreliance on certification requirements: Relying solely on certifications might narrow the focus, possibly overlooking broader human rights concerns not within the certification's scope. Certification standards may lack comprehensive coverage of all human rights aspects, especially those relevant to local contexts or specific worker groups. Periodic audits in certification schemes may not provide continuous monitoring, potentially missing ongoing or emerging human rights issues. Consequently, critical human rights issues not addressed by the certification may be disregarded, and the need for deeper engagement or dialogue with workers may not be addressed, creating a false sense of security about a grower's ethical practices. Additionally, issues of forced labour, which are at high risk in this context, can be overlooked by social audit. The US Customs and Border Protection (CBP) – which is responsible for restricting the import of goods to the US if they suspect Forced Labour within supply chains - has recently provided commentary within its FAQ⁵ which supports this view. It notes that... *"There is ample evidence-based research that demonstrates social audits, as they are currently administered, are ineffective in identifying and reducing forced labor"*. This view is also supported by various research papers and academics, and various examples have been noted in the media⁶. As such, bespoke, deep dive assessments and investigations which spend more time with workers on these more critical issue areas are required to complement existing audit approaches. Jumbo can also consider developing an internal assessment team to carry out lower tier site-visits at separate, unannounced intervals with targeted goals; to add an additional layer of due diligence to complement audits and deep dive assessments by 3rd parties.

⁵ [Virtual Trade Week: Forced Labor](#)

⁶ For example, see: [Insight: 'Slavery' found at a Malaysian glove factory. Why didn't the auditor see it? Or: Top Glove downgraded from A to D in social compliance audit — report](#)

Absence of pricing breakdowns linked to worker remuneration within the supply chain:

Without clear information on how much of the product's price accounts for labour costs, it becomes challenging to ascertain whether they receive fair wages and could lead to scenarios where workers might be underpaid or not receive adequate compensation for their work. It may result in violations of labour rights, including issues such as wage theft, non-compliance with minimum wage laws, or insufficient compensation for overtime. Impactt identified an example at one grower site of discrepancies in compensating workers for Sunday hours.⁷

Lack of detailed insights into workforce demographics: Without comprehensive understanding of the workforce demographics at farm level, there is a significant risk of overlooking various forms of labour exploitation, especially amongst vulnerable groups within the workforce.

- **Migrant workers:** These workers might face heightened vulnerabilities due to their migrant status, lack of familiarity with local laws, language barriers, and limited access to legal support. They can be susceptible to exploitative labour practices, including non-payment of wages, excessive working hours, poor working and living conditions, and other human rights violations due to their marginalised status within the workforce.
- **Female workers:** These workers may face specific challenges such as gender-based discrimination, harassment, unequal pay, or limited opportunities for advancement. A lack of insights into the gender composition of the workforce might result in overlooking important gender-related issues.
- **Country-specific vulnerabilities:** Certain nationalities or groups of workers from specific countries might face higher risks of exploitation or human rights violations due to socio-economic factors, political instability, or conflict in their home countries. Understanding the workforce's composition in terms of nationalities or ethnicities is crucial to identifying and addressing such risks.
- **Minority groups:** Detailed workforce demographics help identify minority groups within the workforce that might face discrimination or unfair treatment due to cultural differences, ethnicity, or religious beliefs. These groups could be at a higher risk of being marginalised or mistreated.

Absence of explicit sanctions or penalties for non-compliance; or incentives for the opposite:

The absence of clear penalties for ethical non-compliance may reduce suppliers' incentive to prioritise human rights, potentially leading to unidentified and/or persistent human rights abuses, particularly at farm level. Relying solely on discussions and corrective actions with suppliers will more likely fail to ensure accountability or transparency within the supplier network, hindering the resolution of systemic issues or repeated violations. Moreover, the lack of explicit sanctions can limit the provision of adequate remedies for those affected by human rights

⁷ At one grower site (Bionorias SAT) all seven workers interviewed reported working on Sundays, believing they were compensated for these hours. Yet no formal timesheet signatures were required for working Sunday shifts with Sunday hours marked as "blackout" on timesheets. This contrasted with the farmer group's understanding that workers never worked Sundays, which lacked a verification process for workers' hours or any formal documentation of timesheets from the grower site.

violations.

Failure to address these human rights risks could eventually result in reputational harm and financial risks for Jumbo. Instances of human rights abuses within the supply chain could lead to negative publicity, affecting brand reputation and consumer trust.

4. Key findings

4.1. High-level overview of human rights at grower sites

This section provides a high-level overview of human rights impacts among all growers categorised by human rights indicators.⁸ Impactt noted minimal positive practices at grower sites beyond those mandated by law or considered as a standard workplace practice. However, at one site, Impactt observed excellent rest facilities provided for workers during breaks. These facilities were comfortable, clean, spacious, enclosed, and equipped with modern kitchen amenities. Additionally, another site offered a daily bus service for workers' transportation to and from the work site, free of charge, which workers reported being very pleased about.

The assessment revealed a number of adverse human rights impacts identified by Impactt across all grower sites. Assessment activities confirmed that none of the grower sites had key labour-related policies in place related to hiring or recruitment, prohibition of forced labour and child labour, codes of conduct (defining workplace rules and expected behaviours), procedures and criteria for disciplinary action, non-discrimination, health and safety, grievance mechanisms, and whistleblowing.

All grower sites lacked established processes in the key areas outlined in Table 5 below:

Human rights area	Potential/actual adverse impact	Details
Fair and favourable conditions at work	Potential	• Inadequate record-keeping: Poor record-keeping practices observed across the sites, including the absence of on-site records documenting any trainings workers had completed, the lack of recorded information regarding loans or advances provided to workers at applicable sites, the absence of documented distributions of Personal Protective Equipment (PPE), and the lack of records regarding fire drills at sites where these were conducted.
Regular employment is	Potential	• Inadequate onboarding processes: New workers lacked proper inductions during the onboarding process,

⁸ Indicators were developed by Impactt based on key human rights standards, along with on the potential risks identified during Phase 1 desktop research activities.

provided		and there was an absence of worker handbooks detailing company policies, procedures, and expectations for workers.
Regular employment is provided	Actual	• Language barriers and insufficient support: Workers who received written contracts and payslips did not receive these documents in their native language, and any training provided was delivered in Spanish and therefore not necessarily understood by workers. Additionally, there were insufficient measures in place to assist illiterate workers in accessing vital information through alternative methods, exacerbating communication barriers.
Working conditions are safe and hygienic	Potential	• Basic health and safety training: Provision of basic on-the-job training with limited depth, particularly in health and safety aspects.
Wages are paid regularly	Actual	• Confusion regarding pay and entitlements: Workers reported confusion about pay calculations and did not fully understand the deductions made from their salaries, and there was a lack of awareness among workers about entitlements under the "Fijo Discontinuo" contract, especially regarding unemployment benefits during breaks between work seasons.
Access to grievance mechanisms and right to remedy	Actual	• Grievance Channels and Communication: Non-utilisation of the mandatory grievance box stipulated by GRASP, and an absence of an alternative formal anonymous grievance channel for workers, hindering effective communication and resolution of concerns.

Table 5: Key adverse human rights impacts identified across all grower sites

Certain human rights impacts were specific to one or few farms, as detailed in Table 6 below:

Human rights area	Potential/actual adverse impact	Details
Wages are paid regularly	Actual	• Discrepancies in compensating workers for Sunday hours.
Regular employment is provided	Actual	• Workers feeling financially constrained, continued working when unwell due to a belief that their employer did not offer paid sick leave, upon presenting a medical note.
No harsh or inhumane treatment is allowed	Actual	• Intense supervision and pressure by management with workers fearing reprisals and job loss for raising concerns, and perceived discrimination, resulting in mental health strain and stress despite consistent pressure felt by all workers.
No discrimination	Actual	• Discriminatory treatment by a supervisor, including

is practiced		excessive workload, intimidation, restricted breaks, and harsh treatment for balancing work and childcare.
Working conditions are safe and hygienic	Actual	Instances of pesticide exposure.

Table 6: Key human rights impacts specific or isolated to one or few farms

Two additional cross-cutting findings:

- **Water scarcity:** None of the visited growers reported experiencing water shortages directly affecting their operations. Their greenhouse facilities were relatively new and obtaining bank loans and government permissions necessitated having sufficient on-site water reserves as a mandatory condition to mitigate water scarcity risks. However, all growers mentioned that maintaining these reserves and ensuring an adequate supply of desalinated water is becoming increasingly costly due to rising demand, posing a growing financial burden. Additionally, the growers constructed their greenhouses in a manner that allowed them to collect and store rainwater whenever possible.
- **'Semilleros' (seedling companies):** Impactt observed a significant lack of understanding among farmer groups and farm management regarding the involvement of 'semilleros' (seedling companies) in the supply chain. These companies are responsible for the initial growth phase of crop seeds in a separate greenhouse before transferring them to the main greenhouse for maturation until harvest, a common practice in Southern Spain's greenhouse farming. However, there was a notable lack of information regarding these entities' identities, management structures, workforce composition, working conditions, and associated human rights risks. This information gap poses a considerable blind spot for Jumbo, presenting a substantial human rights risk within its supply chain.

Table 9 in section 5.1.2. below summarises the HREIA findings across all grower sites categorised by the set of human rights indicators mentioned above. The table indicates findings or observations identified at each site, aligning them with the corresponding indicators. This report does not include the specific details of site findings. This information is provided in separate Excel reports generated for individual growers, detailing the characteristics of each human rights impacts as referenced in Table 9. The reader should review this summary in conjunction with the separate Excel reports, alongside Phase 5 of the Methodology provided in [Appendix A](#) outlining Impactt's data analysis and reporting approach.

4.2. Understanding the HREIA findings

4.2.1. Assigning severity ratings

Assigning a severity rating to a human rights impact assists in prioritising findings or issues by

establishing their relative importance or urgency for corrective action. In the Excel reports Impactt's also indicates the 'likelihood' of a potential impact occurring in the future if not addressed, along with Jumbo's business linkage to the specific impact.

The severity of an actual or potential adverse impact is determined by considering the following key factors:

- Scale
- Scope
- Remediable nature

Key terms referenced above are defined in Table 7 below:

Term	Definition
Scale	This refers to the seriousness of the harm that a particular adverse impact may have on the affected groups or individuals. Considering: • Nature of harm: Whether the adverse impact poses life-threatening situations, inflicts physical harm, or significantly deprives basic rights and needs. A higher scale denotes serious consequences, while a lower scale indicates milder or less harmful impacts. • Number of rights affected: If the adverse impact affects multiple rights concurrently, the scale of severity is likely higher compared to isolated incidents targeting a single right. • Disproportionate impact on vulnerable groups: Adverse impacts that disproportionately affect marginalized groups (e.g., women, children, ethnic minorities, migrant workers) are considered more serious due to discriminatory effects, leading to a higher scale of severity. • Consideration of affected individuals' perspectives: The experiences and testimonies of affected individuals are crucial in providing insights into the gravity of the impact, aiding in a more comprehensive assessment.
Scope	This refers to the process of assessing and understanding the reach or extent of the harm that a particular adverse impact may have on the affected groups or individuals. Considering: • Prevalence of affected individuals: The number of people impacted by the human rights issue. A broad scope involves a large number of individuals affected, while a limited scope indicates the impact affecting only a few. • Systemic nature of the impact: Whether the human rights impact stems from systemic issues within the farm or ginnery's operations. Systemic issues that influence various aspects of the farm's activities suggest a wider scope compared to isolated incidents. • Duration of impact: The duration or likely continuation of the adverse impact. Long-lasting impacts with ongoing consequences suggest a broad scope, whereas short-term or temporary impacts may indicate a more limited scope.
Remediable nature	This refers to the process of assessing and understanding if actions can be taken to restore the individual's or group's condition to a situation equivalent to their situation

	before the adverse impact, or as close as possible. Considering: • The feasibility and effectiveness of potential remedies and solutions to address the adverse impact. • Whether the adverse impact has caused irreversible damage, making it challenging or impossible to remedy or restore the affected rights.
Likelihood of the harm occurring (if identified as a potential impact)	This assessment involves evaluating the possibility or probability of a particular harm occurring. It assesses how probable it is for a harm to take place considering various factors such as the nature of operations, previous incidents, and existing controls or preventive measures.
Potential root cause	This refers to a fundamental reason or underlying factor that may contribute to the occurrence of an adverse human rights impact. It is the originating factor that, if identified and addressed, could prevent or mitigate the problem from happening or recurring. Understanding these root causes is essential as it helps in developing effective strategies or corrective actions to address the core issues rather than merely treating the symptoms. <u>Please note, our limited assessment was time constrained and was not a deep-dive root cause analysis; therefore, any potential root causes stated constitute our best estimate only based on the limited evidence acquired.</u>
Jumbo's business linkage:	
<i>Caused</i>	A business causes an adverse human rights impact when its activities (including omissions) materially increase the risk of the specific impact which occurred and would be sufficient, in and of themselves, to result in that impact.
<i>Contributed to</i>	A business contributes to an adverse human rights impact when its activities (including omissions) materially increase the risk of the specific impact which occurred even if they would not be sufficient, in and of themselves, to result in that impact.
<i>Directly linked to</i>	A business is directly linked to an adverse human rights impact when it has established a relationship for mutual commercial benefit with a state or non-state entity, and, in performing activities within the scope of that relationship, the state or non-state entity materially increases the risk of the impact which occurred.

Table 7: Characteristics of specific human rights impacts

Each adverse human rights impact has been assigned a severity rating represented by corresponding colours as outlined in Table 8 below. There were no issues found to be 'irremediable'.

Description	Severity rating
Low scale, low scope, and remediable nature	Low
High scale, low scope, and remediable nature; or Low scale, high scope, and remediable nature; or	Medium
High scale, high scope, and remediable nature	High
High scale, high scope, and irremediable nature	Critical

Table 8: Severity rating system

4.2.2. HREIA findings summary table

Note the following descriptions for understanding Table 9.

"P":	Potential adverse human rights impact.
"A":	Actual adverse human rights impact.
Green cell:	Indicates a positive impact.
Grey cell:	Indicates an observation.
Blank cell with "M":	An indicator has been met.
Blank cell with "NC":	An indicator was not checked during the site visit.

		Bio Freshi		The Greenery				
		BioSabor		Agroponiente		Mabe		Las Norias
		Javier Belmonte	Velite S.A.	Finca El Jali	Finca Aguilas	Nicolas Rodriguez	Agrolópez Siglo XXI, SL	Bionorias SAT
Human rights area	Indicator							
	Ethical recruitment							
No recruitment fees or related costs are paid	1. Workers did not pay recruitment fees to get their job.	P	M	M	M	M	A	M
Regular employment is provided	2. Workers had signed a written contract drafted in a language they understand.	P	P	P	P	P	P	P
Regular employment is provided	3. Workers were issued with a copy of their signed contract.	M	M	M	P	M	M	M
Child labour shall not be used	4. Workers had their identity documentation checked during the recruitment process to verify their age and right to work.	M	M	M	M	M	M	M
	Working conditions							
Regular employment is provided	5. Workers had an official employment status with the company.	M	M	M	M	M	M	M
Regular employment is provided	6. Workers were directly hired (instead of being subcontracted).	M	M	M	M	M	M	M
Regular employment is	7. Workers were not issued short term contracts on a	M	M	M	M	M	M	M

provided	continuous basis.							
Freedom from slavery and forced labour	8. Workers' original identity documents and/or other personal documents were not retained by employer (beyond processing time for visa).	M	M	M	M	M	M	M
No recruitment fees or related costs are paid	9. Workers were not required to lodge financial deposits with farmers, labour contractors, or any other third-party, at the time of their recruitment or at any point during their employment.	M	M	M	M	M	M	M
Freedom from slavery and forced labour	10. Workers' wages or income owed for work completed were not withheld beyond the legal and agreed payment conditions.	M	M	M	M	M	M	M
No harsh or inhumane treatment is allowed	11. Workers were not subjected to intimidating methods for monitoring their whereabouts or under security control.	P	M	M	A	M	M	M
No harsh or inhumane treatment is allowed	12. Workers were not coerced, threatened, or compelled through physical or psychological means to exceed work hours, forego breaks, or work against their will.	M	M	M	A	M	M	P
Wages are paid regularly	13. Workers were clearly informed about their wage structure before they accept the job, including details about the base salary, bonuses, incentives, or any other forms of compensation they are entitled to receive.	P	M	P	M	M	P	A
Wages are paid regularly	14. Workers received regular payslips.	M	M	P	P	M	M	
Wages are paid regularly	15. Workers had a clear understanding of how their payment was calculated and any potential fluctuations in earnings.	P	P	P	P	M	P	A

Wages are paid regularly	16. Workers were paid on time, in full and in accordance with their contracts.	M	P	A	A	M	M	A
Wages are paid regularly	17. Workers' salary was paid in accordance with the national legal standards (e.g. minimum wage).	M	M	M	M	M	M	P
Wages are paid regularly	18. Workers were not subjected to fines or deductions from their pay, including overtime that did not adhere to local laws.	M	M	M	M	M	M	M
Working hours are not excessive	19. Working hours did not exceed the national legal limit of 40 hours per week.	M	M	M	M	M	M	M
Working hours are not excessive	20. Workers received a rest break of at least 20 minutes for every 4 hours worked.	M		A	P		M	M
Working hours are not excessive	21. Workers had at least 1.5 days weekly rest time in accordance with national legal requirements.	M	M	M	M	M	M	A
Regular employment is provided	22. Workers were able to take paid sick leave when they were unwell.	A	A	A	P	P	A	P
Freedom of association and the right to collective bargaining are respected	23. Workers were effectively represented in a workers committee or union.	P	M	P	P	M	P	P
Freedom of association and the right to collective bargaining are respected	24. Workers had the freedom to join a trade union of their preference or abstain from joining any union if they opted to do so.	M	M	M	M	M	M	M
Working conditions are safe and hygienic	25. Workers residing in accommodation provided by the farm experienced an adequate level of decency, comfort, privacy, and safety.	M	NC	NC	NC	M	P	NC
Working conditions are safe and hygienic	26. Workers had access to adequate rest facilities, hygienic toilets, and free potable water onsite.	M		A	A		P	A

Young persons under 18 shall not be employed in hazardous conditions	27. Workers under 18 years old were not hired to work on the farm.	M	M	M	M	M	M	M
Health and safety		M						
Working conditions are safe and hygienic	28. Workers felt safe at work.	M		M	A	M	M	M
Working conditions are safe and hygienic	29. Workers received adequate training for carrying out their work safely and managing risks associated with their job role.	P	P	M	M	P	P	P
Working conditions are safe and hygienic	30. Workers were provided with appropriate and adequate personal protective equipment (PPE) free of charge.			A	A	M	A	A
Working conditions are safe and hygienic	31. Expectant and nursing mothers were not required to perform work known to pose health risks to either the mother or child's well-being.	NC	NC	NC	NC	M	NC	NC
Working conditions are safe and hygienic	32. Workers received free and independent medical examinations to assess their fitness for the job role.	M	M	M	NC	M	M	M
Right to healthcare	33. Workers received access to free healthcare services.	M	M	M	A	M	M	M
Working conditions are safe and hygienic	34. Workers were provided with suitable transportation for commuting to and from the workplace.	P			P		P	P
Working conditions are safe and hygienic	35. The farm had comprehensive emergency procedures in place to safeguard the workforce from hazards and manage emergency situations.	M	P	P	P	M	P	P
Working conditions are safe	36. Workers received adequate training on	P	P	P	P	P	P	P

and hygienic	emergency procedures.							
Gender and discrimination								
No discrimination is practiced	37. Workers did not observe discrimination or preferential treatment towards specific groups in recruitment, job placement, compensation, promotions, or end-of-service procedures.	M	M	M	A	M	M	M
Treatment		M	M	M		M		
No harsh or inhumane treatment is allowed	38. Workers had not experienced or witnessed sexual harassment or abuse.	M	M	M	M	M	M	M
No harsh or inhumane treatment is allowed	39. Workers had received training on the topic of sexual harassment and what constitutes violence against women.	M	M	NC	NC	M	NC	NC
No harsh or inhumane treatment is allowed	40. Workers had not experienced or witnessed threat of physical abuse, verbal abuse or other forms of intimidation.	M	M	A	A	M	M	M
No harsh or inhumane treatment is allowed	41. Individuals responsible for harassment or other misconduct had been subject to suitable disciplinary actions, which may include dismissal, or reporting to the authorities as necessary.	P	M	M	A	M	NC	M
Livelihood and family life						M		
Living wages are paid	42. Workers' wages were adequate to cover essential expenses such as food, housing, and other basic needs for themselves and their entitled official dependents, while also allowing for some discretionary income.	M	P	A	A	M	M	M

Family and private life is respected	43. Workers enjoyed sufficient time off for rest and leisure time.	M	M	M	M	M	M	M
Family and private life is respected	44. Workers enjoyed sufficient time off for recreation time with family and friends.	M	M	M	M	M	M	M
Family and private life is respected	45. Workers were granted flexible work arrangements to ensure fair opportunities for workers with family obligations, particularly when dependents resided with them.	M	M	NC	A	M	NC	NC
Positive mental wellbeing is protected	46. Workers experienced positive mental well-being.	M	P	A	A	M	M	M
Grievance mechanism						M		
Access to grievance mechanisms and right to remedy	47. Workers were able to raise concerns through an effective designated grievance mechanism and have their issues adequately addressed.	P	P	P	A	M	P	P
Access to grievance mechanisms and right to remedy	48. Workers felt confident that reporting issues would not lead to retaliatory actions or penalties being imposed upon them.	M	M	P	A	M	M	M
Access to grievance mechanisms and right to remedy	49. Workers believed that they could freely resign without penalty.	M	M	M	M	M	M	M
Water scarcity								
Regular employment is provided	50. Workers had not encountered decreased earnings or periods of unemployment due to reduced harvests at the farm specifically caused by water shortages.	M	M	M	M	M	M	M
Working hours are not	51. Workers had not encountered more labour-	M	M	M	M	M	M	M

excessive	intensive practices to conserve and optimise water use in response to any water shortages.							
Positive mental wellbeing is protected	52. Workers had not encountered stress and anxiety specifically caused by water shortages.	M	M	M	M	M	M	M

Table 9: A high-level overview of human rights impacts categorised by human rights indicators

4.3. Case studies from local migrant communities

Below are five case studies, presenting firsthand accounts from migrant workers residing in nearby informal settlements close to the greenhouses where they have sought employment. Impactt conducted random interviews with these workers without inquiring about their specific affiliation within Jumbo's supply chain. Impactt did not ask workers which company they worked for in Southern Spain to encourage them to express themselves freely. The intention was to gain valuable insights into their daily lives, shedding light on significant human rights challenges they encountered, including inadequate housing, poor working conditions, and limited access to crucial services like healthcare. These case studies are crucial in highlighting the vulnerabilities faced by migrant workers in Spain, whether they have worked, are currently employed, or are seeking employment in the greenhouse farming sector. Importantly, there's a potential for these workers to be currently involved or become part of Jumbo's supply chain. This risk is amplified due to the unpredictable fluctuations in labour demand within the industry.

A male Moroccan farm worker originating from Beni Mellal, Morocco who arrived in Spain in 2009. Impactt met him at a park in San Agustin:

This male was employed at a pepper greenhouse. He earned 5 Euros per hour in cash, falling short of the minimum wage requirements, and struggled with job instability due to short-term contracts. Despite the desire to obtain residency in Spain and reunite with family, he encountered legal barriers, needing a one-year contract from a Spanish employer which proved extremely difficult to secure. Previously attempting to resolve this, he bought a contract through a Moroccan intermediary for 700 Euros, but it was discovered by the authorities to be inauthentic. Consequently, his residency application was rejected, resulting in a fine of 400 Euros. This prompted his decision to accept a valid low-paying job for residency purposes. He is not compensated for any overtime hours worked. Fear of job loss has deterred him from voicing concerns about his working conditions. He finds the responsibility of supporting his Moroccan-based dependents (his wife and two children) on a limited income of 900 Euros per month very stressful, but he sees no alternative option.

An undocumented male migrant originating from Kenitra, Morocco. Impactt met him at an informal settlement in La Mojonera:

This male has lived in his makeshift plastic housing for four years, working informally as a mechanic. Lacking legal residency, he sought a better life, but his living conditions were very unhygienic. His accommodation was very dirty with feral cats eating leftover food off his broken

table. He expressed regret in allowing his appearance to deteriorate since his arrival. He looked severely underweight and malnourished. "When I arrived in Spain, I was really handsome but now I'm not". He explained that without access to potable water, he was forced to drink and bathe in dirty water that caused adverse skin reactions. He gestured towards the nearby source of contaminated water with flies hovering above. Struggling with profound poverty, he could not afford bottled water and lived off a diet of bread, tuna, and mayonnaise. Bereaved by his brother's recent car crash and unable to travel back home to Morocco, he relied on photographs sent from family to stay connected. To cook, he collected wood to build fires. He pointed at the burns on his feet caused by hot wood falling from the fire. Along with his neighbours he tapped into electricity illegally from a nearby pylon. He had a very thin blanket to sleep under. "I'm dying of cold at night" he said.

An undocumented male migrant originating from Mechra Bel Ksiri, Morocco. Impactt met him at an informal settlement in La Mojonera.

This male recently arrived in Almeria in search of work after residing in France then Barcelona for the past six months. With no place to stay, he sought refuge in an empty property in Almeria, only to face expulsion and fines by the police that led to his homelessness. Desperate for work, he engaged in hazardous labour, spending three days replacing a greenhouse roof, without the essential safety gear, including a health and safety harness, hard hat, or other protective equipment. He displayed painful blisters on his hands, a direct consequence of working without wearing gloves. Due to his undocumented status and the fear of encountering authorities again, he felt unable to seek assistance in accessing medical care healthcare to clean and dress his wounds.

A Ghanaian male with residency in Spain. Impactt met him at an informal settlement in San Isidro de Nijar.

This male had been a resident at the settlement since 2011 or 2012. He recounted the evolving living conditions within the settlement from plastic sheeting to more substantial brick and concrete buildings, initiated by Ghanaians due to recurrent fires. He approximated that the settlement was inhabited by approximately 1000 people, including sub-Saharan African and Moroccans, and 95% of whom he estimated were undocumented workers facing uncertain circumstances. He explained that different nationalities within the settlement were friendly towards one another and maintained a sense of community despite the harsh living conditions.

He described the different type of skilled tradespeople such as electricians, builders, carpenters, and welders living in the settlement who had played a crucial role in helping to construct sturdier accommodation for other Ghanaian residents, while Moroccan dwellers still lived in makeshift plastic housing. The settlement received humanitarian aid from the Red Cross. And visits from a local Spanish organisation providing weekly Spanish lessons and domestic violence awareness sessions for the residents.

Despite these efforts, "life is still very hard here". Toilets were in the surrounding bushes, and an absence of trade union presence in Spain supporting migrant farm workers. His work life remained challenging, characterised by difficulties including use of tracking phones by farm management to monitor workers, accelerate work speed, and pressure workers to complete eight-hour workloads within five hours for reduced pay.

A Ghanaian male with residency in Spain. Impactt met him at an informal settlement in San Isidro de Nijar.

This male was initially very guarded and was reluctant to engage with Impactt. "Our situation is very stressful. We're fed up with people like you coming here, taking photos, making videos, asking us questions, then nothing changes. Nothing. No-one really helps us".⁹ He approached the team a while later and wanted to engage. He shared that he had recently attained residency in Spain, and he worked in a greenhouse close by, earning 7 Euros per hour. He described this job as being better than the last one where he was paid 5 Euros and worked under a "jefa" (female boss) who subjected him to verbal insults, shouting, and physical assaults. This type of treatment was something he had experienced while working at other farms too. He explained there was a local housing issue, mentioning that while some workers living in the settlement could afford to rent a room in a house, they could not find a place to rent. He wondered if the housing shortage was really that bad, or whether landlords refused rentals based on specific nationalities among workers.

He believed that farm bosses had a general disregard for workers' living conditions and wanted to discourage them from obtaining legal status to prevent workers from defending their rights and potentially leaving the farm for better work elsewhere. He pointed in the direction of other residents standing close by. "Us workers, we're the most important part of the supply chain. If 1000 workers in this place [the settlement] stopped working for two days, you people would have no food to eat".

⁹ Impactt did not take any photographs or videos of workers during visits to work sites or accommodation. The worker was referring to other visitors, not Impactt.

He has hopes for an improved situation in the future, planning to eventually leave Spain and move to either Holland or Germany where, he believes, the treatment of migrants is better than in Spain.

5. Recommendations

Impactt has identified three primary areas of concern for Jumbo where potential and actual human rights impacts were present within its fresh vegetable supply chain in Southern Spain:

- 1) Within greenhouse farms employing migrant workers for cultivating and harvesting Jumbo's fresh vegetables.
- 2) In informal settlements near the greenhouses, where individuals have worked, are presently employed, or are seeking employment in the greenhouse farming sector. There is a possibility that these workers are or could become part of Jumbo's supply chain.
- 3) In the 'semilleros' (seedling companies) responsible for the initial growth phase of crop seeds in separate greenhouses. There is a notable lack of information among farmer groups and farm management regarding these entities, their workforce composition, and their hiring/employment practices.

Impactt's recommendations aim to address these identified areas of concern, focusing specifically on Jumbo's fresh vegetable supply chain in Southern Spain. Note that Impactt's recommendations do not extend to Jumbo's broader operations outside the scope of this assessment.

Given that mitigating identified adverse impacts requires a collaborative approach involving multiple stakeholders in the supply chain, Impactt offers recommendations that can be implemented by Jumbo, Jumbo's Tier 1, farmer groups, and greenhouse farm management; emphasising a shared responsibility among these entities in addressing the identified issues.

Recommendations for Jumbo and Tier 1 suppliers are presented in this report, while recommendations aimed at farmer groups and greenhouse farm management are detailed in separate Excel reports generated for individual grower sites, containing detailed assessment data gathered during site visits.

Jumbo is primarily "directly linked to" the adverse impacts according to the UNGPs, and therefore is required to exert its influence over supply chain actors to address human rights concerns and enhance ethical labour standards affecting workers. Specific recommendations for Jumbo are detailed below. It is, however, important to highlight though that a business' lack of action to institute effective requirements compelling suppliers to adhere to human rights standards and

decent work practices could directly “contribute” to adverse impacts within its supply chain caused by other actors, under the UNGPs. An absence of clear expectations and accountability measures set by a retailer may inadvertently enable or perpetuate exploitative or unethical practices within its supply chain network, and consequently the retailer risks being complicit in the continuation of harmful practices and behaviours within its supply chain.

Tier 1 suppliers play a crucial role in advocating fair labour practices and upholding human rights within their own spheres of influence. This involves establishing effective communication with farmer groups to discuss human rights-related risks and mitigation measures, integrating contractual clauses that enforce adherence to relevant standards, and providing support and guidance to ensure compliance with these standards across various operational aspects, including at the grower level.

In turn, the farmer groups have the potential to assist farm management in adopting decent work practices and policies. This could involve offering support in developing standardised policies, guidelines, and other useful tools (e.g. worker handbook, training manuals, multilanguage communication materials containing important information on workers’ rights and entitlements to display in at the worksite) and establishing effective channels for workers to express their concerns.

5.1. Effective implementation of Jumbo’s HRDD commitments

Jumbo has established comprehensive company-wide policies affirming its commitment to HRDD throughout its operations, aligning with OECD Guidance for Responsible Business Conduct. However, Impactt’s HREIA revealed key gaps, outlined in the following table, between these HRDD commitments and their practical application within Jumbo’s fresh vegetable supply chain in Southern Spain. Currently, there is not a formalised HRDD process in place that specifically addresses Jumbo’s supply chain in Southern Spain, and the risks of a constantly fluctuating migrant workforce compound this process gap to present a particularly high risk.

The assessment has been instrumental in understanding the specific human rights risks prevalent in this region’s supply chain and pinpointing primary areas of concern for Jumbo.

Addressing these gaps demands focused attention to operationalise these overarching policies within this segment of Jumbo’s global supply chain, which was the subject of Impactt’s HREIA, and aligning them with the operational realities observed in the Southern Spain region.

Specific initiatives are needed to address the unique nuances and operational context specific to this supply chain. These initiatives should encompass sourcing practices, supplier engagements, hiring and employment practices within greenhouse farms, and gaining insights into the ‘semilleros’ (seedling companies). Understanding the workforce composition, predominantly comprising vulnerable migrant workers, is crucial.

5.2. Practical recommendations

Table 10 below presents practical recommendations for Jumbo to consider implementing, aiming to address the highlighted concerns within Jumbo's fresh vegetable supply chain in Southern Spain.

Area	Impactt's observation	Recommendation	Implementation steps
Tier 1 supplier contracts	The absence of explicit written agreements concerning ethical compliance and human rights practices with suppliers and their sourced entities indicating a lack of formalised measures ensuring adherence to ethical standards and human rights across the supply chain.	Develop formalised written agreements with all Tier 1 suppliers, explicitly outlining ethical compliance requirements and human rights practices. These contracts should enforce adherence to ethical standards, worker safety, and well-being, in accordance to Jumbo expectations and international standards where applicable.	- Develop standardised contract templates incorporating clauses regarding required ethical practices aligned with Jumbo expectations and international standards where applicable. - Include clear guidelines on ethical sourcing, supplier onboarding, and requirements for adherence to human rights practices for all sub-suppliers which are contracted to work within lower tiers of Jumbo's supply chains. - Ensure signed, explicit commitment to responsible business practices and commitments to remediate human rights issues.
Tier 1 supplier penalties and incentives	The absence of clear penalties for ethical non-compliance and no clear incentives for suppliers to prioritise adherence to ethical practices and human rights standards.	Introduce incentives and potential penalties for Tier1 suppliers to adhere to Jumbo's ethical requirements.	Convene internally to explore suitable rewards (specifically tailored for Southern Spain) for exemplary ethical practices, as well as potential penalties for persistent, ongoing non-compliance with zero-tolerance issues.

Area	Impactt's observation	Recommendation	Implementation steps
Product pricing breakdowns			- Deliberate on methods to promote transparent communication channels where suppliers feel comfortable raising concerns with Jumbo, ensuring Jumbo's commitment to collaborating with suppliers for swift issue resolution. - Embed any such rewards and potential penalties into supplier contracts. Share specifics about communication channels separately with suppliers through training sessions, potentially making these sessions obligatory within high-risk supplier contracts.
	Lack of supply chain transparency on how much of the product's price accounts for labour costs, preventing Jumbo from establishing whether workers receive fair wages in accordance with local minimum wage laws.	Increase transparency in pricing linked to worker remuneration. Implement pricing breakdowns linked to worker remuneration.	- Develop a tracking system to disclose the proportion of product prices allocated to labour costs. - Ensure fair compensation for workers to avoid issues like wage theft or non-compliance with labour laws. - Add a clause in supplier contracts which requires suppliers to provide accurate, continuous and up-to-date information on these points, at intervals agreed internally by Jumbo management.
Understanding the workforce composition	Lack of detailed understanding of the workforce demographics at farm level.	Enhance demographic insights, collecting comprehensive workforce demographic data at greenhouse farm level as a matter of course.	Require within supplier agreements that suppliers use data collection mechanisms (which can be shared by Jumbo) to gather demographic

Area	Impactt's observation	Recommendation	Implementation steps
Researching and mapping the 'Semilleros' (seedling companies)		Use this data as part of ongoing risk evaluation.	information. These should focus on capturing data on migrant workers, gender distribution, nationalities, and minority groups.
	There was a notable lack of information among farmer groups and farm management regarding the 'semilleros' (seedling companies) responsible for the initial growth phase of crop seeds in separate greenhouses, and Jumbo has no oversight over this tier of its supply chain.	- Conduct further research and comprehensive mapping of 'semilleros' (seedling companies) within the supply chain, by engaging Tier 1 suppliers in collaborating with farmer groups and farm management to: - Identify the seedling companies being utilised. - Gain insight into potential and actual human rights risks	- Require Tier 1 suppliers to collaborate with farmer groups and farm management to identify and establish communication channels with seedling companies used in the supply chain. - Gain insight into the management systems, hiring practices, internal procedures of identified seedling companies, workforce vulnerabilities, and key human rights risks through engaging independent third-party experts to conduct deep dive assessments and interview workers in their native language. - Understand the workforce composition, and evaluate risks, especially those affecting migrant workers. - Integrate seedling companies into the ongoing HRDD approach within Southern Spain, as outlined below.
Ongoing HRDD within Southern Spain	Jumbo has conducted HRDD activities elsewhere, but this HREIA represents the first meaningful due diligence	Determine an ongoing HRDD approach within Southern Spain, including future HREIAs and related deep-dive	Internally convene with senior Jumbo personnel to devise an ongoing strategy tailored to this specific location.

Area	Impactt's observation	Recommendation	Implementation steps
Certification schemes and HRDD	programme conducted in this high-risk area of Southern Spain. During site visits, workers remarked that previous audits carried out at the greenhouses where they worked either lacked worker interviews in their native language leading to language barriers, or workers were not interviewed at all.	assessments, with a heightened focus on interviewing workers more in depth in their native language.	• While drawing from existing Jumbo frameworks on due diligence, ensure effective implementation within this high-risk area. • Moreover, deliberate on the costs tied to these expectations, outlining which aspects Jumbo will cover versus what it will formally stipulate suppliers to cover through contractual obligations.
	• An overreliance on certifications might overlook broader human rights concerns not within the certification's scope, and certification standards may lack comprehensive coverage of all human rights aspects, especially those relevant to local contexts or specific worker groups.	• Introduce a more balanced approach to certifications and audits, supplementing certifications with more deeper assessments focusing on critical human rights issues at greenhouse farms.	• Engage independent third-party experts to conduct deep dive assessments at greenhouse farms targeting known high-risk areas, ensuring a deeper understanding of the human rights landscape including forced labour. • Establish monitoring protocols and internal capacities for ongoing risk assessments within Jumbo, and monitor progress at sites through both third-party visits and internal assessments. • Introduce a clause within supplier contracts which allowing Jumbo to conduct site inspections using its chosen third parties. These inspections may occur periodically, announced or unannounced (to be internally discussed within Jumbo). • Ensure that ongoing site visits

Area	Impactt's observation	Recommendation	Implementation steps
Addressing adverse human rights impacts			(conducted by third parties or internally) also verify adherence with and understanding of new supplier contract clauses outlined in these recommendations.
	No formalised process in place for ceasing, preventing or mitigating adverse impacts in Southern Spain.	- Promptly acknowledge and support the addressing of any identified adverse human rights impacts throughout the supply chain. - Collaborate with suppliers to develop and implement plans to cease, prevent, or mitigate these impacts.	- Through tier 1 supplier contracts, mandate suppliers to formally commit to engaging in discussions aimed at developing and implementing strategies for promptly ceasing or mitigating adverse impacts once identified. - Meet with tier 1 and 2 suppliers to inform them of Jumbo's expectations on addressing human rights risks and understand any support needs (e.g. closing knowledge gaps, skill development, providing tools)
Addressing adverse human rights impacts	No formalised process in place for monitoring the implementation of corrective actions, and providing the provide necessary support to suppliers to ensure compliance.	Monitor the implementation of corrective actions, verify their effectiveness, and track progress in addressing identified human rights impacts.	- Through supplier contracts, mandate the utilisation of monitoring mechanisms to oversee the implementation of corrective measures. - Understand from tier 1 and 2 suppliers how they will monitor progress on tier 4 suppliers addressing the issues and risks established in the HREIA (as detailed in the excel spreadsheets)
Addressing adverse human rights impacts	No formalised process in place for communicating how impacts are	Require transparent and consistent communication with all stakeholders,	Through supplier contracts, mandate the utilisation of a communication

Area	Impactt's observation	Recommendation	Implementation steps
Addressing adverse human rights impacts	addressed.	especially those impacted, about the resolution of human rights impacts.	protocol to inform stakeholders about efforts made to address human rights impacts. • This approach may use existing frameworks utilised by Jumbo in its previous due diligence work. • Agree with tier 1 and 2 suppliers how and when they will share progress on the issues and risks established in the HREIA at tier 4 suppliers (as detailed in the excel spreadsheets) with Jumbo.
	• No formalised process for providing for or cooperating in remediation.	• Cooperate in remediation through supporting suppliers where necessary	• Mandate suppliers to adhere to a structured and proactive remediation process for swift resolution of identified human rights violations within the supply chain through specific clauses in the supplier contracts. • These clauses should also include Jumbo's commitment to collaborate in assisting the supplier to remediate issues when deemed appropriate. • Internally, Jumbo should deliberate on defining potential commitments or limitations regarding such cooperation and support. • Inform tier 1 and 2 suppliers of adverse human rights impacts that require a remediation approach (e.g., missing

Area	Impactt's observation	Recommendation	Implementation steps
Grievance mechanisms	- Notably, Tier 4 workers lacked access to formal, external, and anonymous grievance channels. - Tier 4 workers at grower sites have access to suggestion boxes as stipulated by Global GAP and Grasp requirements. However, observed suggestion boxes observed were not located in discreet areas where workers could access anonymously. - Workers and farm management across all sites confirmed that suggestion boxes had never been utilised by workers. - Instead, interviewed workers relied on addressing concerns by directly contacting farm management or refrained from speaking out, particularly if their relationship with supervisors was tense, fearing potential repercussions such as dismissal.	Ensure Tier 4 and Tier 5 workers (once identified within seedling companies) have access to effective anonymous grievance channels.	wages, harassment issues, child labour, undocumented workers etc.). - Through supplier contracts, mandate suppliers to have effective grievance channels in place, in accordance with effectiveness criteria on grievance channels outlined by the UNGP. - Educate tier 1 and 2 suppliers on the appropriate utilization of suggestion boxes, emphasizing their discreet placement, not in open or public spaces. - Implement a grievance hotline (e.g., an extension of the Speak Up programme) that functions as an external line within the Southern Spain vegetable supply chain, taking into consideration the languages spoken by workers.

Table 10: Practical recommendations for Jumbo

5.3. Building internal knowledge and awareness

Based on assessment of existing material and interviews with Jumbo staff, enhancing internal expertise among Jumbo's team members could yield significant advantages by increasing awareness, shifting mindsets, fostering confidence, and enriching knowledge to effectively cascade these priorities throughout the supply chain. This encompasses training initiatives and investments in the following areas. Jumbo should review the HRDD roles and responsibilities of its current team, and expand these to gain a more comprehensive understanding of risks within their supply chains in Southern Spain.

- **Understanding risks:** Provide training to relevant team members regarding specific human rights risks associated with product categories and geographical regions within the supply chain, particularly focusing on high-risk areas like Southern Spain. Ensure regular, at least annual, updates of comprehensive risk assessments for global supply chains are completed to guide priority areas for deep dive assessments.
- **HRDD responsibilities and requirements:** Ensure the team thoroughly understands tailored HRDD requirements for Jumbo's supply chain operations, including the expectations for suppliers and practical implementation. Clearly define responsibilities within the team for overseeing these requirements.
- **Promoting best practices:** Equip the team, in line with their assigned responsibilities, with knowledge about best practices and specific actions necessary for effective HRDD compliance, enabling them to identify potential risks. Having a clear understanding of 'what good looks like' in this context will assist teams in spotting red flags that indicate potential risks. This detailed training for Jumbo's team should precede the mandatory training mentioned in Table 10 above, although some content will overlap.
- **Continuous learning:** Invest in ongoing training programs, workshops, and resources to deepen the team's understanding and empower them with in-depth knowledge. This might involve collaborating with experts, sharing case studies, and leveraging industry networks to stay informed about evolving human rights risks, human rights-based regulations, and best practices.

These recommendations emphasise the importance of proactive measures, internal capacity building, and effective communication, and would provide a strong foundation for addressing human rights risks within Jumbo's fresh vegetable supply chain in Southern Spain. It is advised that Jumbo adopts an iterative approach, integrating newfound insights into this process for continuous improvement.

Appendix A: Methodology

A four-phased approach was employed:

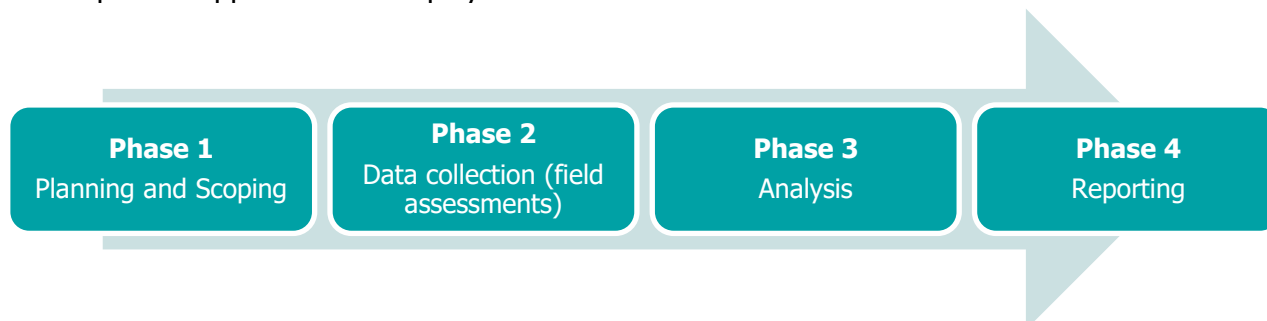


Figure 1. Four-phased approach

Phase 1: Planning and Scoping

The aim of Phase 1 was to define the assessment's parameters, considering: (i) the type of business projects or activities; (ii) the human rights context; and (iii) identification of relevant stakeholders. The information gathered through desktop activities and obtained from various sources was used to build an understanding of:

(i) The business project or activities

This covered:

- The nature and locations of Jumbo's fresh vegetable supply chain activities in the southern region of Spain which were the focus of the HREIA.
- Relevant supply chain actors beyond Tier 1 suppliers, extending to labourers at the farm level.
- Different impact areas and right-holder groups, such as growers and workers (noting that both are not homogeneous groups).
- Existing business policies, controls, and procedures addressing human rights and social concerns.

Sources included:

- Testimony gathered from stakeholder interviews:

Jumbo	Tier 1 supplier: Bio Freshi	Tier 1 supplier: The Greenery
--------------	------------------------------------	--------------------------------------

- Daniek Ehrismann, CRS Manager - Stefan Bult, Buying and Merchandising Senior Lead - Edwin Schijvens, Quality Manager	- Jaap van der Waarden - Wim Jansen	- Maarten van der Boom
--	--	--

- Supply chain data provided by the Tier 1 suppliers related to farming cooperatives or associations ("farmer groups") from which the Tier 1 suppliers sourced produce and individual growers linked to these farmer groups (e.g. product type, farm size and location, greenhouse numbers, number of workers, worker nationalities, etc.) which guided the risk-based grower selection approach for the HREIA.
- Jumbo documents, including: CSR Conditions, Human Rights Policy, Due Diligence Policy, Jumbo Code of Conduct (Code Yellow), Sustainable Packaging Policy, Quality and Private Label Terms and Conditions, General Terms and Conditions of Purchase.

(ii) The human rights context

This covered:

- Relevant international human rights standards.
- The level of legal protections and enjoyment of human rights in the given context.
- The actual status of human rights enjoyment in the area where the greenhouses were located, including any instances of human rights violations or conflicts.
- Accessibility to remedies for addressing adverse human rights impacts due to business activities.
- The above information directed the development of the HREIA framework and human rights indicators to inform data collection during Phase 2. Primary sources used for indicator development included:
 - The Universal Declaration of Human rights (UDHR).
 - International Labour Organisation (ILO) Core Conventions.
 - International Covenant on Civil and Political Rights.
 - International Covenant on Economic, Social and Cultural Rights.
 - Ethical Trading Initiative (ETI) Base Code
 - United Nations Guiding Principles (UNGPs) on Business and Human Rights

Sources included:

- National labour laws, policies and regulation.
- Reports by local and international NGOs and CSOs.
- Publications by human rights groups and institutions.
- News articles and online documentaries.

(iii) Identification of relevant stakeholders

This covered:

- Relevant stakeholders in the given context, including type of stakeholder, their level of influence and if/how they may be impacted by Jumbo's business activities.
- Rights-holders, namely growers and workers, potentially affected by Jumbo's business activities.
- Vulnerable individuals or groups within the context, such as migrant workers and women.
- Duty-bearers, namely Jumbo, Tier 1 supply, farmer groups, and farm management/growers.
- Sources included:
 - Supply chain data provided by the Tier 1 suppliers (referenced above).

Assembling the HREIA team

Impactt ensured that individuals comprising the four person HREIA team possessed the necessary skills and expertise to deliver a professional, independent, effective process built upon a human rights-based approach. The team encompassed individuals with the following criteria:

- Proficiency in human rights with field research experience.
- Diverse cultural backgrounds and sensitivity to the local contexts.
- Proficient language skills to communicate effectively with rights-holders and other relevant stakeholders in their native languages.
- Industry knowledge coupled with an understanding of its intersection with human rights.
- A gender-balanced composition with equal representation of men and women.

Phase 2: Data collection

The aim of Phase 2 was to collect primary data to develop an evidence-based description (e.g. "baseline") documenting the present status of human rights fulfillment enjoyed by rights-holders. This baseline was developed through fieldwork and stakeholder engagement (with duty-bearers, right-holders, other relevant stakeholders), and assisted the team in identifying both actual and potential impacts from Jumbo's business activities, as well as recommendations for subsequent impact prevention, mitigation and management.

Impactt developed a set of indicators to measure human rights impacts aligned with internationally recognised human rights norms and standards. These indicators primarily focussed on key human rights issues identified during Phase 1, but remained flexible enough to incorporate emerging issues, reflecting the iterative nature of the HREIA process.

Impactt conducted field visits in Southern Spain over a period of eight days from 22nd to 29th November 2023. Impactt conducted the following assessment activities within Jumbo's fresh vegetable supply chain.

- **Visits to four farmer groups.** For each visit Impactt conducted:
 - Opening and closing meetings with management.
 - Reviewed relevant documentation including:
 - Contracts between farmer groups and growers.
 - Farm worker labour contracts.
 - Farm worker signing in/out records.
 - A sample of payslips covering September and October 2023.
 - Policies related to ethical standards/human rights/social compliance etc. if available.
 - Management interviews to understand:
 - The farmer group's role within Jumbo's supply chain.
 - The impact of Jumbo's supply chain activities on the farmer group.
 - Bio Freshi/the Greenery's ethical engagement with the farmer group.
 - The farmer group's ethical engagement with the growers.
- **Visits to seven growers and their greenhouses.**
 - Management interviews to understand:
 - Impactt engaged in discussions with farm management to gain insights into their practices, encompassing policies, firing procedures, health and safety protocols, contractual terms regarding payment and working hours, their relationship with grower groups, supply chain challenges, and the impact of climate change, particularly focusing on water scarcity.
- **Conducting qualitative interviews with 64 farm workers.**
 - Gathering worker testimony to gather:
 - Firsthand perspectives, experiences, and insights directly from the workers into the day-to-day realities of working in the greenhouses, hiring practices and working conditions, challenges, worker wellbeing, and suggestions for improvements or changes within the workplace.
 - Table 11 below indicates number of workers interviewed under each grower, including gender and nationality.

		Bio Freshi		The Greenery				
		BioSabor		Agroponiente		Mabe		Hortofrutícola Las Norias
		Javier Belmonte Méndez	Velite S.A.	Finca El Jali (Lara Castaneda)	Finca Aguilas (Lara Castaneda)	Nicolas Rodriguez	AGROLÓPEZ SIGLO XXI, SL	Bionorias SAT
Burkina Faso	Male			2				
	Female							
Ecuador	Male							
	Female				1			
Gambia	Male						4	
	Female							
Ghana	Male			8				
	Female							
Guinea Bissau	Male		3					
	Female							
Mali	Male			1				
	Female							
Morocco	Male	17		3	6	1		7
	Female	3			4			
Senegal	Male		2				1	
	Female							
Spain	Male							
	Female				1			
TOTAL		20	5	14	12	1	5	7

Table 11: Number of workers interveiwed

Additionally, Impactt visited San Isidro de Nijar, San Agustin, and La Mojonera to gather in-depth insights from migrant workers firsthand testimonies from migrant workers residing in the informal settlements located near to the greenhouses where they sought employment.

Phase 3: Analysis and Phase 4: reporting

Findings gathered through field visits were analysed to present this report.



UK (Head Office)

33 John's Mews
Holborn
London
WC1N 2NA
Tel +44 (0) 20 7242 6777
info@impacttlimited.com

CHINA

Room 701, West Tower
Huapu Plaza, No.9 Huaming Road
Zhujiang New Town, Tianhe District
Guangzhou 510623
Tel +86 (0) 20 2831 8018
chinainfo@impacttlimited.com

INDIA

Unit Number 312 C
3rd Floor D 21 Corporate Park
Sector 21
Dwarka, New Delhi
110077
Tel +91 98 3999 3051
indiainfo@impacttlimited.com

BANGLADESH

Room 4 & 5 (10th Floor)
HM Plaza
Plot 34, Road 2
Sector 3, Uttara C/A
Dhaka 1230
Tel +88 (0) 1711353037
banglainfo@impacttlimited.com