



Global Supplier Code of Conduct



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Scope of Application

The following applies to our external third-parties who provide materials and/or services to Fresenius Medical Care AG & Co. KGaA and its subsidiaries (hereinafter referred to as "Fresenius Medical Care", "the Company", "we", "our", "us"), including but not limited to contractors, consultants, suppliers and other intermediaries, all of whom are herein referred to as "suppliers".

Preamble

Fresenius Medical Care strives to create a future worth living for dialysis patients worldwide every day. The Company's core values are the following: Collaborative, Proactive, Reliable and Excellent¹.

We focus on providing high quality products and services and bringing the optimal sustainable medical and professional practices to patient care. This is our commitment to our patients, our partners in the healthcare system and our investors.

Suppliers are key contributors to Fresenius Medical Care's core values, sustainable growth, product quality and patient care. While we hold ourselves to a high standard, we expect equally high standards of our suppliers. Thus, we encourage our suppliers to support our commitment to society, the environment and our stakeholders. For this purpose, Fresenius Medical Care has developed this global Supplier Code of Conduct ("SCoC") which outlines our expectations of suppliers. Suppliers are encouraged and expected to establish adequate procedures within their organizations as well as their value- and supply-chains to comply with these requirements. Adherence to the SCoC is one important criterion in the supplier selection process. The Company is willing to work with its suppliers to help them comply with these requirements, for example through reviews and continuous improvement plans established jointly.

This SCoC provides general expectations and governance how Fresenius Medical Care would like to work with its suppliers. The topics outlined in this document are to be considered as minimum requirements and are based on many internationally recognized standards in corporate responsibility, including but not limited to the Universal Declaration of Human Rights, the UN Global Compact and the EU Green Public Procurement Guidelines. In case there are any national regulations, other applicable laws or contractual obligations which govern the same topics, the provision providing the highest standard shall apply.

¹ Please visit our homepage for further details about FME Corporate Culture:
<https://www.freseniusmedicalcare.com/en/corporateculture/>



1. Integrity and Ethics

Suppliers are expected to conduct their business in an ethical responsible manner and act with integrity.

1.1 Compliance with Applicable Laws and Regulations

We at Fresenius Medical Care uphold the values of integrity and lawful conduct, especially with regards to anti-bribery and anti-corruption. We uphold these values in our own operations, as well as in our relationships with suppliers. Our continued success and reputation depend on a common commitment to act accordingly. We expect our suppliers to commit to uphold these fundamental values by adhering to applicable laws and regulations and establishing adequate procedures for this purpose.

Suppliers shall also support the Company to meet its own extended legal and regulatory requirements and thus make best efforts to maintain and upon request provide accurate and complete documentation.

1.2 Corruption, Bribery and Fraud

Suppliers shall have a zero-tolerance policy for any form of corruption, bribery, extortion, embezzlement or other type of fraudulent conduct.

Suppliers shall not offer anything of value to employees of Fresenius Medical Care with the intent to influence business decisions or expectation of receiving any



preferential treatment. Furthermore, we expect our suppliers to refrain from offering, promising, authorizing or giving anything of value (including any item, gifts, service or anything else, whether in a form of a personal benefit/favor or otherwise) to ANY person or entity, directly or indirectly through third parties, to secure new business, retain existing business, or gain any other improper advantage. Likewise, they should NOT request, accept or agree to receive anything of value for themselves or on behalf of another person or entity with the intention (explicit or implicit) to secure an improper advantage or influence their business decisions.

1.3 Conflict of Interest

A conflict of interest arises when an individual has a private/personal interest which could appear to influence their business decisions. Examples of these situations include but are not limited to: employees of Fresenius Medical Care having personal, private or financial interests in any of the supplier's businesses or vice versa.

In this regard, suppliers shall avoid any relationships, transactions or activities that are or appear to be in conflict with an objective and fair business relationship with Fresenius Medical Care.

If such actual or potential conflicts arise, suppliers shall disclose them to the Company immediately.

1.4 Money Laundering

Money laundering is broadly defined as engaging in a transaction with criminally-derived property, structuring a transaction in a way to avoid detection of criminal conduct or engaging in a transaction which promotes any criminal activity.

We expect our suppliers to comply with all applicable anti-money laundering laws, rules and regulations. Suppliers shall take all necessary steps so that they conduct

business only with reputable business partners involved in legitimate business activities with funds derived from legitimate sources.

1.5 Identification of Concerns

Suppliers shall encourage and provide means for their employees to report at any time compliance concerns, including but not limited to potentially unlawful activities in the workplace, potential violations of laws, rules or policies without threat of reprisal, intimidation or harassment. Any report made in good faith should be covered by an anti-retaliation policy. Any report should be treated in a confidential manner while protecting the identity of the reporting person. Where permissible by local law anonymous reporting should be possible. Suppliers shall promptly investigate such reports properly and take corrective action if needed.

1.6 Fair Competition

Suppliers shall conduct their business in line with fair competition and in accordance with all applicable anti-trust laws.

1.7 International Trade Controls

Suppliers shall comply with export control regulations applicable to their business and provide accurate and truthful information about it to customs and other authorities when required.

1.8 Accuracy of Records

All financial books and records must conform to local requirements and generally accepted accounting principles. Supplier records must be accurate in all material respects: Records must be legible, transparent and reflect actual transactions and payments. Suppliers shall not hide, fail to record or make false entries. All business records must accurately reflect the true

nature and extent of the transaction or expenditure.

1.9 Publicity

We do not allow suppliers to use the Fresenius Medical Care name or logo in any public display or document without prior written approval. In addition, without such prior approval, suppliers may not disclose their relationship with Fresenius Medical Care or its products, parts, designs or any non-public information in any public venues, including press releases, websites, social media, trade shows and suppliers' facilities.

1.10 Data Protection, Confidentiality and Intellectual Property Rights

Suppliers shall safeguard and properly use confidential and proprietary information to ensure that company, employees, patient privacy and patient privacy's rights are protected in accordance with applicable laws and regulations.

All documents and all information on the Company's operations must be treated confidentially. Confidential information includes all non-public strategic, financial, technical or business information of Fresenius Medical Care.

Moreover, suppliers shall protect intellectual property rights of all employees and business partners. They are expected to protect both their own and Fresenius Medical Care's intellectual property,

including any patents, trademarks, copyrights, trade secrets, technical and scientific knowledge or know how and expertise developed in the course of our business.

1.11 Standards when Conducting Clinical Research

Suppliers shall conduct clinical research such as clinical trials and other studies in humans in accordance with international guidelines, current national and local laws and regulations and recognized international quality and safety standards applicable to the proposed work. Supplier shall observe applicable ethical and medical requirements when conducting such studies.

1.12 Animal Welfare

Animals must be treated respectfully, with pain and stress minimized. Animal trials should be avoided as far as possible while pursuing methods to make animal trials obsolete. Alternatives should be used whenever scientifically valid and acceptable to regulators.

1.13 Conflict Minerals

Suppliers shall ensure that products supplied to Fresenius Medical Care do not contain metals derived from minerals or their derivatives originated from conflict regions that directly or indirectly finance or benefit armed groups and cause or foster human rights abuses.



2. Human Rights and Labor Conditions

Suppliers shall seek to provide a safe, fair, respectful and non-discriminatory working environment to all its workers and contractors.

2.1 Non-Discrimination and Non-Harassment

Suppliers shall provide a respectful and non-discriminatory workplace which values the contributions of everyone who is involved in their business operations. Suppliers shall not tolerate any forms of discrimination, including verbal, physical or sexual harassment or intimidation in the workplace. Suppliers shall not tolerate any discrimination and unfair treatment for reasons such as gender, race, ethnic origin or color, nationality or national origin, religion or belief, age, family status and marital status, citizenship, disability, physical condition and constitution, appearance, sexual orientation, lawful political views and activ-

ity, membership in unions or works councils, engagement in lawful collective labor activity and other discriminatory or unlawful criteria. Suppliers shall take immediate action against unlawful and discriminatory behavior of their employees, workers, agents and contractors and shall report back to Fresenius Medical Care if they observe or experience such behavior by its employees, officers, directors, agents or others.

2.2 Prevention of Abuse, Violence and Harassment

Suppliers are expected to condemn harassment or intimidation in any form and any violent or abusive conduct. Suppliers shall seek to provide a workplace free of harsh and inhumane treatment, including any



sexual harassment, corporal punishment, mental or physical coercion or verbal abuse.

2.3 Prohibition of Forced Labor and Child Labor

Suppliers shall take a clear stance against forced labor and any form of exploitative child labor and shall not engage in any form of non-voluntary, forced or compulsory labor.

Suppliers shall condemn exploitative child labor and shall not employ workers under the minimum age for regular employment as defined by applicable national legislation or international conventions.

2.4 Employment and Working Conditions and Fair Treatment

Suppliers have to comply with applicable laws and regulations with regard to employment and labor conditions, including but not limited to employment contracts,

minimum wages and benefits, maximum working hours and shall maintain fair working conditions. Regular work weeks shall not exceed the maximum allowable hours set by local law and overtime hours shall be instructed only in accordance with local laws; workers shall be allowed at least the minimum required days-off per 7-day week. Compensation paid to workers shall comply with all appropriate wage laws, including those relating to minimum wages and legally mandated benefits. Our suppliers shall respect the rights of workers to associate freely, to join or not join labor unions and to seek representation in accordance with local laws. In addition, our suppliers shall create an environment where workers shall be able and feel comfortable to communicate openly with management regarding working conditions without fear of reprisal, intimidation or harassment.



3. Occupational Health and Safety

Suppliers have to provide a safe, secure, hygienic and healthy working environment. We expect our suppliers to take all necessary precautions to avoid injury or harm.

3.1 Worker Protection

Suppliers have to protect workers from harmful exposure to chemical, biological and physical hazards, unhygienic conditions, physically demanding tasks in the workplace and in any company-provided living quarters.

3.2 Process Safety

Suppliers shall have appropriate processes or programs in place to prevent or mitigate releases of chemicals that affect or may affect the health and safety of employees, neighbors or any other concerned stakeholders.

3.3 Product Safety

Suppliers shall comply with product safety regulations, label products properly and communicate product-handling requirements. They shall provide to relevant parties the applicable documentation containing all necessary safety-relevant information for all hazardous substances in case of a legitimate need. This includes product information, safety data sheets, notification or registration confirmations, uses and exposure scenarios. Suppliers pro-actively and transparently share information about



the health, safety and environmental aspects of their products with all relevant parties.

3.4 Emergency Preparedness and Response

Suppliers shall identify and assess emergency situations in the workplace and any company-provided living quarters and minimize their impact by implementing emergency plans and response procedures.

3.5 Hazard Information

Safety information relating to hazardous materials – including pharmaceutical compounds and pharmaceutical intermediate materials – must be available and used to educate, train and protect workers from hazards.



4. Environment

Suppliers shall make their best efforts to minimize the adverse impacts of their activities on the environment and eliminate or, if not feasible, to minimize and to control any significant environmental risks. Suppliers are encouraged to act in preventing environmental pollution, efficiently using natural resources, recycling waste and enhancing their environmental performance. This includes conserving natural resources by environmentally sound and efficient operations, to avoid the use of hazardous materials where possible and to engage in activities that reuse and recycle.

4.1 Environmental Legislation

Suppliers have to comply with all applicable environmental laws and regulations. All required environmental permits, licenses, information registrations and restrictions shall be obtained and the related operations and reporting requirements shall be followed.

4.2 Waste and Emissions

Suppliers shall have systems in place to ensure the safe and legally compliant handling, movement, storage and disposal/release/discharge of wastes, air emissions and wastewater discharges. Any waste, wastewater or emissions with the potential to adversely impact human or environmental health shall be appropriately managed, controlled and treated prior to release into



the environment. All necessary installations and facilities shall be constructed and maintained in a way that relevant risks are securely controlled.

4.3 Spills and Releases

Suppliers shall have systems in place to prevent and mitigate accidental spills and releases of hazardous substances, wastes,

wastewater and emissions to the environment or facilities where the related risks are no longer controlled (e.g. public sewage system, public surfaces). Suppliers shall have processes in place to minimize resulting impacts on concerned neighbors.



5. Quality

Suppliers shall strive to uphold high quality standards and ensure the protection of their products from unauthorized third parties.

5.1 Quality Requirements

Suppliers shall meet generally recognized quality standards or contractually agreed quality requirements and standards in order to provide goods and services that consistently meet Fresenius Medical Care's and its customers' needs, perform as warranted and are safe for their intended use. Suppliers shall immediately address all critical issues that have the potential to negatively affect the quality of goods and services. Suppliers shall inform the Company about changes of the manufacturing or supply process that have the potential to impact the specification of goods and services provided.

5.2 Security and Anti-Counterfeiting Measures

Suppliers shall have good security practices across their supply chains. Suppliers shall assure the integrity of each shipment to Fresenius Medical Care from its origin through to its destination. Suppliers shall implement the necessary and appropriate measures in their area of responsibility to ensure that the Company's products, their workable components or raw materials, as well as the corresponding know-how, do not end up in the hands of counterfeiters, smugglers, thieves or other unauthorized third parties and do not leave the legitimate supply chain.



6. Governance and Management Systems

Suppliers shall be committed to fulfill ethical principles, maintain necessary documentation to confirm that, set improvement objectives and evaluate risks in all areas related to business ethics.

6.1 Commitment and Accountability

Suppliers shall fulfill the principles set forth in this SCoC by allocating appropriate resources and incorporating all applicable aspects into policies and procedures.

6.2 Systems, Documentation and Evaluation

Suppliers shall develop, implement, use and maintain management systems and controls related to the content of this SCoC. Suppliers shall maintain documentation necessary to demonstrate conformance with the principles outlined in this SCoC. This documentation may be reviewed by

Fresenius Medical Care upon mutual agreement.

6.3 Risk Management

Suppliers shall implement mechanisms to regularly identify, evaluate and manage risks in all areas addressed by this SCoC as far as relevant and applicable and with respect to all applicable legal requirements. Suppliers shall identify and manage risks related to business ethics, labor and human rights, health and safety, environmental and legal compliance. Suppliers shall continuously determine the relative significance of each risk and take steps to prevent and mitigate them.



6.4 Business Continuity

Suppliers are encouraged to implement appropriate business continuity plans for operations supporting Fresenius Medical Care's business.

6.5 Continuous Improvement

Suppliers shall demonstrate their commitment to continuous improvement by setting performance objectives, executing implementation plans and taking necessary corrective actions for deficiencies identified by internal or external assessments, inspections and management reviews.

6.6 Transparency and Disclosure

Suppliers are encouraged to report externally about their social and environmental impact in line with the principles set forth in this SCoC. Suppliers shall remain transparent about their business activities, structure, financial situation, performance, and business as required by any applicable laws and industry standards.

6.7 Right to Audit

In case required suppliers shall grant Fresenius Medical Care the right to evaluate

their sustainability performance upon reasonable prior notice. The evaluation shall be executed directly by the Company or by a qualified third party in the form of an audit. Any such requests will be directly addressed on a case by case basis.

6.8 Training and Competency

Suppliers will develop, implement and maintain appropriate training measures to allow their managers and employees to gain an appropriate level of knowledge and understanding of the applicable principles of this SCoC, the applicable laws and regulations and generally recognized standards.

6.9 Communication of Sustainability Criteria in Supply Chain

Suppliers shall replicate the principles set forth in this SCoC further down the supply chain and make sure that any third party/sub-supplier acting on behalf of the supplier and effecting the business relationship with Fresenius Medical Care adhere to this SCoC.

7. Conformity with the Global Supplier Code of Conduct

Fresenius Medical Care reserves the right to reasonably modify this SCoC. Adaptations shall be communicated timely to suppliers through the Company's website. In an event of modification, we expect the supplier to accept such modifications.

Our business relationship is based on mutual honesty and respect. A supplier may also demonstrate its commitment to this SCoC through compliance with its own code of conduct or company policies that embrace similar standards. However, we may request suppliers to verify compliance with Fresenius Medical Care's SCoC and, in case there is reason for concern, to take corrective action. Suppliers shall fully cooperate with Fresenius Medical Care or any authorized third party acting on its behalf for this purpose, in particular:

- Upon request, suppliers shall complete a questionnaire on compliance with this SCoC (**Self-Assessment**).
- Fresenius Medical Care may solicit information from a third party on suppliers' compliance and performance with regards to requirements specified in this SCoC (**Third-Party Assessment**).
- Upon request, suppliers shall provide documented evidence related to compliance with this SCoC (**Certifications/Statement**).
- Fresenius Medical Care shall be entitled, directly or indirectly, to conduct on-site verification inspections to verify compliance with the Company's global SCoC on site (**On-Site Audit**) as lined out in the chapter 6.7.



References

The references below were used to create this guiding document and should be taken into consideration when implementing this SCoC.

The International Labour Organization's 1998 Declaration on Fundamental Principles and Rights at Work

www.ilo.org/declaration/

The United Nations' Global Compact

www.unglobalcompact.org/

The United Nations' Universal Declaration of Human Rights

www.un.org/en/documents/udhr/

EU Green Public Procurement Guidelines

<http://ec.europa.eu/environment/gpp/pdf/Buying-Green-Handbook-3rd-Edition.pdf>

Contact

If you have any general questions, please use the following e-mail address:



Contact

procurement@fmc-ag.com or get in touch with your local contact person from the procurement department



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