

**April 15, 2026**

**The Coca-Cola Company**

**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs  
One Coca-Cola Plaza  
Atlanta, GA 30313**

**The Kraft Heinz Company**

**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs  
One PPG Place  
Pittsburgh, PA 15222**

**Mondelez International, Inc.**

**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs  
905 West Fulton Market, Suite 200  
Chicago, IL 60607**

**Post Holdings, Inc.**

**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs  
2503 South Hanley Road  
St. Louis, MO 63144**

**PepsiCo, Inc.**

**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs  
700 Anderson Hill Road  
Purchase, NY 10577**

**General Mills, Inc.**

**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs  
Number One General Mills Boulevard  
Minneapolis, MN 55426**

**Nestlé USA, Inc.**

**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs  
1812 N. Moore Street  
Arlington, VA 22209**

**Kellanova**

**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs  
412 North Wells Street  
Chicago, IL 60654**

**WK Kellogg Co.**

**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs  
One Kellogg Square  
Battle Creek, MI 49016**

**Mars, Incorporated**  
**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs**  
**6885 Elm Street**  
**McLean, VA 22101**

**Conagra Brands, Inc.**  
**Attn: General Counsel; Chief Compliance Officer; Corporate Affairs**  
**222 West Merchandise Mart Plaza, Suite 1300**  
**Chicago, IL 60654**

**Re: Request for Baseline Clarification, Corrective Clarification, and Structured Compliance Response Concerning Public-Facing Sustainability, Equity/DEI, Community-Benefit, and Animal-Welfare Statements**

**Counsel:**

This letter is an institutional baseline-clarification request delivered by Fair Start Movement and TruthAlliance.global to the companies listed above. A related request has been submitted to the Georgia Attorney General seeking consumer-protection review of public-facing representations concerning “impact,” “public benefit,” “sustainability,” “equity/DEI,” and “animal welfare” that plausibly invite reliance.

This institutional request is part of a broader multi-jurisdictional approach requiring public-facing claims to meet minimum standards of clarity, attribution, and accountability. It also tracks the broader public-harm scrutiny reflected in San Francisco’s ultra-processed-food action against many of the same food-sector actors. The San Francisco matter provides the architectural template: design, targeting, concealment, burden, and corrective relief. This request applies that same sequence to a different object, namely public-facing claim design and the induced reliance that may follow when baseline conditions are not disclosed clearly enough for informed evaluation.

This request is structured deliberately. The public filing brought by San Francisco against major food producers provides the architectural template. There, the sequence runs from design, to targeting, to concealment, to public burden, to corrective relief. Here, the corresponding sequence is public-facing claim design, reliance pathways, baseline omission, interpretive and social burden, and corrective clarification together with verification readiness. The object is different, but the litigation logic is the same. This letter therefore does not proceed as a theory memorandum. It proceeds from claim type, to omitted variable, to reliance pathway, to burden, to corrective action.

The issue raised here is not whether these companies have undertaken beneficial initiatives. The issue is whether broad public-facing narratives concerning sustainability, equity, community benefit, impact, and animal welfare have been communicated at the level of outcome while the underlying support, where it exists, operates at the narrower level of process, policy, initiative, selected comparator, or operational metric. Where that occurs, the relevant baseline conditions necessary to interpret the broader claim may not be clear to the audience at the point of reliance.

This is the Baseline Gap. It arises when outcome-level narratives are communicated publicly while the underlying disclosures measure narrower operational changes or bounded initiatives. In that setting, audiences may be unable to determine whether a broader public-facing claim is supportable as stated, qualified by undisclosed assumptions, materially narrower than it appears, or dependent on exclusions, time horizons, tradeoffs, or uncertainty that have not been disclosed adjacent to the claim itself.

The organizations use the term “baseline gap” to refer to situations in which a public-facing statement communicates a broad social, environmental, equity, or welfare outcome while the underlying support, if disclosed, may measure a narrower program, a selected comparator, a site-level change, an operational output, or an expected pathway rather than a demonstrated net outcome. The request therefore asks whether audiences are being given enough information to determine whether a broad claim reflects a substantiated outcome, a narrower operational improvement, or only a theory of change.

Fair Start Movement and FalseClaimsChecker address that problem directly. Public-facing benefit claims cannot be evaluated by intentions or outputs alone. They must be interpreted against the baseline required to determine what the claim means, what it excludes, what populations it counts or omits, what harms remain outside scope, what comparator governs the claim, what time horizon is being used, and whether the claim is describing an operational step, an expected pathway, or a substantiated net result. Where those interpretive conditions remain undisclosed, the audience may receive a broader net impression than the underlying record can bear.

This request does not assume that only fully certain or exhaustively proven claims may be communicated. The narrower premise is that where knowledge is incomplete, modeled, bounded, or contingent, that condition should itself be disclosed so stakeholders can evaluate the claim with the relevant limits in view. In that respect, this request favors disclosure of imperfect knowledge over the appearance of certainty without interpretive context.

**The issue is not whether a company has perfect certainty. The issue is whether stakeholders are given enough information to evaluate the company’s own theory of change, its limits, and whether a broad public-facing claim is actually attributable to the underlying corporate action.**

A further distinction is central. A company may have a theory of change explaining why an initiative is expected to contribute to a broader social, environmental, or welfare outcome. That is different from demonstrating that the broader outcome has in fact been established, measured, or verified at the level implied by the public-facing statement. Where the public narrative moves from initiative to outcome, the supporting materials should make clear whether the company is describing activity, projected contribution, or substantiated net result. That distinction is not technical excess. It is the line between fair interpretation and induced overreading.

The claim categories at issue are broad public-facing statements and materials that function as market-facing or credibility-bearing signals, including, but not limited to, sustainability and packaging or recycling representations, equity or DEI language implying outcomes beyond internal policies or programs, animal-welfare commitments and related statements,

community-benefit and mission-driven corporate statements used in marketing, ESG materials, brand pages, investor-facing materials, and institutional partnership claims implying verified net benefit, particularly where credibility transfer is part of the statement's function.

These claims often operate at one level of public meaning while their supporting disclosures, if any, operate at another. A company may communicate that it is improving communities, advancing equity, protecting animals, or protecting the planet while the underlying materials measure packaging recovery targets, emissions changes relative to selected baseline years, supplier expectations, programmatic reach, facility-level efficiency improvements, or other bounded operational efforts. That difference does not by itself establish impropriety. It does establish a legitimate basis for clarification where the broader claim may communicate more than the disclosed interpretive conditions clearly support.

### **Several contextual conditions make baseline clarity especially material in the food and beverage sector.**

First, public-health research has long identified sugar-sweetened beverages and related product environments as relevant to obesity, type 2 diabetes, cardiovascular disease, and associated public-health burdens. Those burdens are not evenly distributed across populations. Where corporate communications imply improvements to community wellbeing, public benefit, or equity, the relationship between product portfolios, exposure patterns, and health burdens may be material to how audiences interpret the claim.

Second, plastic packaging waste and the environmental consequences of extraction, production, disposal, and recycling systems are widely recognized challenges. Corporate sustainability initiatives may represent real operational responses to those issues. But broader environmental outcomes depend on infrastructure, collection systems, recycling capacity, leakage rates, substitution effects, and consumer behavior, among other variables. Where sustainability narratives imply broader environmental progress, disclosure of operational boundaries, dependency assumptions, and uncertainty may be necessary to permit fair interpretation.

Third, corporate sustainability, equity, impact, and welfare narratives routinely influence downstream institutional activity, including academic partnerships, nonprofit collaboration, procurement choices, investor and shareholder assessment, capital-market perception, philanthropic alignment, employee affiliation, and public-policy discussion. If baseline assumptions or scope limits are not disclosed at the point of the claim, the same narrative may propagate through subsequent studies, institutional communications, investment decisions, and affiliation signals before methodological limits are examined.

Fourth, broad public-facing statements also operate through investor and governance channels. Where sustainability, equity, welfare, or impact representations contribute to enterprise valuation, reputational stability, access to capital, or stakeholder confidence, the baseline conditions necessary to interpret those representations matter not only to consumers or partners. They also matter to investors, boards, and other market participants evaluating governance quality, claim discipline, unmanaged narrative risk, and the company's ability to respond coherently to regulators, litigants, and stakeholders. Companies that establish verified baselines and disciplined claim-governance structures may be better positioned to manage reputational

volatility, support board oversight, absorb regulatory change, and reduce the risk that broad narratives will be interpreted more expansively than intended.

These contextual considerations do not, by themselves, assert wrongdoing. They explain why baseline clarity may be material when audiences evaluate claims concerning community benefit, environmental progress, equity, or social impact.

These conditions do not establish motive-based wrongdoing. They do explain why baseline compliance and baseline disclosure may be material when public-facing statements are interpreted by consumers, investors, institutional partners, donors, procurement actors, researchers, and regulators.

The reliance pathways here are concrete. Baseline omissions can operate through consumer purchasing decisions, investor and shareholder assessment, capital-market perception, institutional partnerships and procurement choices, philanthropic influence and affiliated fundraising signals, academic collaboration, employee affiliation and retention, public trust, regulatory goodwill, and reputational insulation across downstream stakeholders. These pathways connect public messaging to consumer-protection logic concerning material omission. Where a representation plausibly implies net benefit, protection, improvement, or verified impact, the baseline required to interpret that implication may be material to the audience's decision.

These public-facing narratives function as market-facing and credibility-bearing signals. In that setting, the complaint concerns more than ordinary brand language. It concerns whether broad public-facing representations are being communicated in a form that invites reliance without providing the audience enough information to evaluate what those claims do and do not establish.

The burden of underqualified narratives is also not neutral. Communities with greater representation in research institutions, regulatory agencies, funding bodies, and elite decision systems often have greater capacity to interrogate and challenge broad public-facing claims. Communities with less institutional representation may face greater barriers to testing those claims or correcting flawed narratives. In the United States, those structural differences frequently intersect with race. Communities of color often experience disproportionate diet-related health burdens, greater exposure to environmental hazards, and lower levels of institutional protection. Children are especially vulnerable where narratives of responsibility, equity, or community wellbeing coexist with product environments associated with long-run morbidity, shortened life expectancy, and death. Animal-welfare narratives may invite moral and consumer reliance beyond the narrower conditions actually measured. Climate-facing narratives may communicate broad long-horizon benefit while resting on bounded operational metrics that do not, by themselves, establish the broader implication. For that reason, race, children, animals, and climate are not side categories in this request. They are part of the reliance and burden analysis itself.

The organizations state that race, children, animals, and climate are not side categories in this request, but part of the burden and reliance analysis itself. In their view, narratives of sustainability, equity, public benefit, and protection can function as substitutes for underlying

conditions while concealing systemic inequity, climate vulnerability, and unequal exposure to foreseeable human harm. Children, particularly children of color, do not meaningfully control those conditions and cannot realistically vote their way out of them.

In that setting, public-facing impact narratives function as credibility signals. They generate consumer and investor trust, philanthropic partnerships, regulatory goodwill, reputational capital, and institutional benefit. False claims, and the manufactured appearance of trust created through incomplete disclosure, should not function as commodities for institutional enrichment. The consequences of a misleading or underqualified narrative do not end with publication. Corporate narratives can shape academic research agendas, capital-market and philanthropic decisions, regulatory priorities, nonprofit collaboration, procurement choices, and public discourse. Universities, nonprofits, and policy institutions frequently rely on these narratives when forming partnerships or shaping research agendas. If baseline assumptions remain undisclosed, incomplete narratives can propagate through later studies and institutional communications before methodological limits are examined.

Political equity concerns are therefore not peripheral. The relevant analytical question is not abstract “population benefit.” The question is what high-agency actors are inducing others to believe and rely upon while omitting the baseline necessary to evaluate that belief. Corporate narratives about social impact can influence consumer decisions, institutional partnerships, capital allocation, philanthropic alignment, procurement, and policy formation. The campaign’s baseline theory also operates within an intergenerational justice frame. Present actors have duties to future populations, and omissions that convert long-horizon harm into near-term reputational benefit represent a core Cost of the Charade mechanism.

The organizations state that the baseline gap reflects more than a disclosure issue. In their view, it signals a broader pattern of avoiding the minimum condition required for legitimate authority: one person, one equal and influential vote beginning at birth, under which political authority and entitlement to wealth are conditioned on equitably empowering those subject to them. They further state that this pattern is consistent with a broader structural reality in which wealth and institutional credibility have been built without meeting that minimum threshold across intergenerational justice, children’s rights, and political equity, resulting in a form of political overshoot in which affected populations do not meaningfully control the outcomes shaping their lives.

In that context, narratives of sustainability, equity, and public benefit risk functioning as substitutes for underlying conditions, including systemic inequity, climate vulnerability, and the continued use of systems that helped produce the climate crisis while concealing responsibility for its foreseeable human consequences. Illegal baselining, as used in this framework, refers to the assumption that children legally deserve whatever resources, relationships, and level of empowerment they are born with, rather than an absolute threshold of political equity and rights-based relations and resources that legitimacy would require.

Where Unfair Competition Law governs public-facing claims about value, impact, and benefit, the central question is whether those claims can be meaningfully evaluated when the baseline needed to interpret them is not disclosed. When statements about impact or benefit omit that baseline, they may create a net impression that cannot be substantiated. In that context,

government enforcement helps define legitimations, meaning the conditions required for claims to be fairly understood and relied upon. The organizations therefore view the baseline gap not only as a disclosure issue, but as a question of whether those conditions for legitimations are in place.

The organizations state that the appropriate response is to Tell The Truth about those conditions by reintroducing a zero-baseline standard grounded in one person, one equal and influential vote, under which no child is assigned lesser value at birth. Through tools such as <https://falseclaimschecker.org/>, they state that claims can be evaluated against this standard to show the differential between what is claimed and what can be substantiated once baseline conditions are made explicit.

That is why the disclosure problem matters: without sufficient baseline disclosure, stakeholders cannot tell whether a broad public-facing claim reflects a substantiated outcome, a narrower operational improvement, or only a theory of change built on unjustified background assumptions. Through tools such as <https://falseclaimschecker.org/>, the organizations state that claims can be evaluated against this standard to show the differential between what is claimed and what can be substantiated once baseline conditions are made explicit.

They further state that this standard must operate preemptively, as a condition of legitimate authority and entitlement to wealth, rather than as a retrospective or voluntary measure. In a federal system, that is part of the state's priority obligation to legitimate its own authority. The organizations therefore ask Georgia to recognize and apply this standard as part of its consumer-protection authority, both to protect those subject to these claims and to maintain the conditions under which public trust can be meaningfully relied upon.

**Accordingly, we request the following.**

**Request 1: Claim Inventory and Identification**

Please identify each flagship claim currently or recently used in public-facing materials that could reasonably be understood to imply net benefit in the domains above.

For each claim, please provide the exact claim language as published, including location, such as web pages, ESG materials, reports, brand pages, packaging language, advertising, investor-facing materials, and partner materials, the intended meaning, meaning what the claim is asserted to communicate, and the constraint, meaning what the claim does not mean.

**Request 2: Baseline Assumptions and Omission Clarification**

This request seeks clarification on four core points repeated throughout the organizations' public statement: what baseline assumptions underlie the referenced claims, how scope boundaries and exclusions are defined, how uncertainty or model limitations are disclosed, and how operational improvements are distinguished from broader net outcomes in public-facing language.

For each flagship claim identified above, please disclose in plain terms the baseline assumptions required for the claim to be true, supportable as framed, or not misleading, material exclusions and scope limits, including what is not counted, what is out of scope, and what is treated as

non-compensable or unmeasured, discounting choices, including rate and rationale where applicable and treatment of future harms or benefits, uncertainty treatment, including modeling methods, confidence bounds, scenario approaches, and whether uncertainty narrows the claim, modeling limits, tradeoffs, and decision thresholds, meaning what facts, assumptions, or scope conditions would narrow, qualify, or alter the claim as publicly understood, and what cannot be inferred, and reliance-sensitive dependencies, including third-party data or methodologies relied upon and whether they are verified, audited, or assumed.

### Request 3: Corrective Clarification Language

For claims plausibly implying net outcomes without adequate baseline disclosure, please provide proposed corrective clarification language and an implementation plan that separates outputs from net outcomes, states baseline assumptions and limitations adjacent to the claim rather than in technical appendices, adds explicit “what this does not mean” constraints designed to prevent induced reliance, and updates affected web pages and materials, including ESG reports, brand pages, consumer-facing sustainability, DEI, or animal-welfare statements, and investor-facing materials where applicable.

This request is framed as a corrective disclosure and alignment pathway rather than punishment for imperfection. The objective is early clarity: either a claim is supportable under a disclosed baseline standard, including its uncertainty, scope limits, and dependencies, or it is clarified before it induces broader reliance than the underlying record can bear.

The requested remedy is corrective clarification and structured compliance, not punishment for imperfection. The requested pathway includes claim inventory and identification, baseline clarification for flagship public-facing statements, corrective clarification language where broad claims may imply more than the disclosed support can bear, and a verification-ready governance lane for material claims. This structure is intended to be practical, staged, and reviewable.

**We therefore present the following staged compliance pathway as a serious implementation lane rather than a conceptual offer.**

#### Tier 1 — Baseline Disclosure Protocol (Immediate)

For each flagship claim, state the baseline assumptions required for the claim to be true, disclose material exclusions, disclose discounting choices and uncertainty treatment, and disclose modeling limits, tradeoffs, and decision thresholds.

#### Tier 2 — Corrective Clarification

For claims implying net outcomes without adequate baseline disclosure, issue corrective clarification language, update web pages, ESG materials, investor-facing materials, and other reliance-facing communications, and add explicit “what this does not mean” constraints.

#### Tier 3 — Certification and Verification Lane

Provide third-party verification of indices and thresholds supporting material claims, implement a structured submission and review workflow, including intake, review, remediation, and re-test, and create a publishable audit trail for material claims suitable for regulator review.

This verification-ready lane is designed to permit later review by companies, regulators, investors, and other stakeholders without requiring the public to rely on broad claim language alone. The aim is to align public-facing communications with the level of substantiation actually available and to make any remaining limits visible at the point of reliance.

#### Tier 4 — Governance-Locked Longer-Term Structures

If counterparties seek a longer-term implementation pathway beyond corrective clarification, optional intergenerational structures may be discussed separately as voluntary mechanisms. These structures are not the subject of the Georgia request and are not prerequisites to compliance. They require governance lock and funding to avoid false precision, uncontrolled liability exposure, and tool-driven governance failure.

#### **Governance Architecture**

Principle: tools do not inform governance; governance informs the tools.

If Tier 3 or Tier 4 engagement is sought, please provide written responses identifying who owns the standard, meaning baseline definition authority, who validates the data, meaning validation authority, independence, and auditability, who holds enforcement authority, internal and external, who signs off on compliance, meaning the named responsible officer or function, who contracts implementers, meaning procurement and conflict controls, how compliance flows, meaning submission, review, decision, remediation, and verification, how funding is disbursed and what is paused if funding is absent, how implementation interacts with litigation, meaning parallel tracks rather than sequential, and how risk is managed, including defamation risk, discovery exposure, and false precision.

#### **Coalition Signal**

Separately, Bobak Bakhtiari, Hangry Planet, and the Consumer Protection Foundation circulated public support for the Tell the Truth campaign and for adoption of a full-measure harm standard together with preemptive civil injunctions against illegal business models exploiting vulnerable populations. Fair Start Movement and TruthAlliance.global cite this as an indicator that baseline clarity is becoming a practical compliance expectation across sectors.

#### **Requested Process Steps and Timelines**

##### Acknowledgment and Routing (Within 14 Days)

Please confirm in writing the internal owner for response, meaning legal or compliance lead, the business units covered, including corporate sustainability, DEI, animal welfare, marketing and brand, investor relations, CSR, and partner teams, and the schedule for Tier 1 delivery and Tier 2 corrective clarification proposals.

### Claim Inventory and Tier 1 Disclosures (Within 30 Days)

Please deliver the flagship claim inventory and Tier 1 baseline disclosures for each identified claim.

### Tier 2 Corrective Clarification and Implementation Plan (Within 45 Days)

Please deliver corrective clarification language for claims plausibly implying net outcomes without adequate disclosure and a dated implementation plan for updating public materials.

### Tier 3 Verification Lane Proposal (Within 60 Days, if Requested)

**If a verification-ready posture is sought, please propose a third-party verification approach, intake, review, and remediation workflow, and audit trail design suitable for regulator review.**

### **Response Delivery**

**Direct written responses and attachments to:**

**Suriya Khan**

**suriya@fairstartmovement.org**

**516-725-3157**

**Fair Start Movement / TruthAlliance.global**

### **References**

<https://www.coca-colacompany.com/sustainability>

<https://www.coca-colacompany.com/about-us/diversity-equity-and-inclusion>

<https://www.coca-colacompany.com/media-center/coca-cola-advances-sustainability-goals-2023-business-and-sustainability-report>

<https://fairlife.com/about/>

<https://www.coca-colacompany.com/content/dam/journey/us/en/private/fileassets/pdf/2024/coca-cola-animal-welfare-principles.pdf>

<https://www.fooddive.com/news/fairlife-animal-welfare-dairy-farms/576011/>

<https://law.georgia.gov/key-issues/consumer-protection>