

# THE LAST BEACH CLEANUP

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October 13, 2021

Ellen Smith  
Corporate Secretary  
Mondelez International  
905 West Fulton Market, Suite 200  
Chicago, Illinois 60607 USA

SUBJECT: Shareholder Proposal on Truth and Transparency on Plastic Recycling Claims

Ms. Smith:

I am independent engineer and the founder of The Last Beach Cleanup, a 501c3 non-profit organization based in California. The Last Beach Cleanup leads catalytic initiatives to move from awareness on plastic pollution to widescale action and achievement. The Last Beach Cleanup focuses on bringing the facts to the forefront to promote proven and practical solutions to plastic pollution and waste. We collaborate with diverse stakeholders who share the goal of ending plastic pollution: local and national governments, nongovernmental organizations (NGOs), socially responsible investors (SRIs), individuals and others.

As an individual, I have owned shares of Mondelez International (Mondelez) for nine years. I am filing this shareholder proposal for inclusion in the 2022 proxy statement in accordance with rule 14a-8 of the General Rules and Regulations of the Securities and Exchange Act of 1934. I have held greater than \$2,000 in Mondelez stock continuously for more than three years and will continue to do so through the next annual meeting.

Verification of my ownership position will be provided by a DTC participant. I will attend the stockholders' meeting to move the resolution as required by SEC rules.

I look forward to discussing this shareholder proposal with you. I am available on the following dates and times.

Monday, October 18: 9 am to 5 pm Pacific time.  
Tuesday, October 19: 9 am to 5 pm Pacific time.  
Wednesday, October 20: 1 pm to 5 pm Pacific time.

If alternative days and times are needed, please feel free to contact me.

Sincerely,

Jan Dell, Independent Engineer and Founder  
**The Last Beach Cleanup**

CC by Email: [mdlz-board@mdlz.com](mailto:mdlz-board@mdlz.com), [ellen.smith@mdlz.com](mailto:ellen.smith@mdlz.com)

**WHEREAS:** According to Consumer Brands survey, 84% of U.S. consumers are concerned over plastic and packaging waste. Consumers are increasingly susceptible to marketing claims that plastic packaging they purchase is recyclable. By law, product companies are required to maintain records supporting validity of environmental marketing claims. Increasingly, lawsuits are challenging the legitimacy of product companies' recycling labels and claims.

Mondelez sponsors a "Hoop Heros" program claiming customers can "Recycle the packaging from your favorite OREO Cookies" via a partnership with TerraCycle. The TerraCycle webpage states "OREO Cookies and the Albertsons Companies Foundation will donate basketball hoops along with recycled benches to 13 basketball courts across the U.S." Consumers are instructed to send packaging to TerraCycle's New Jersey warehouse. Oreo plastic packaging is not accepted in curbside recycling bins because there is negligible market value and plastic film wrap often contaminates paper bales.

While advertised as "easy" for consumers to recycle, it is likely that very few consumers actually participate due to the effort required to mail and uncertainty that collected materials are actually recycled, according to a Vox report. Mondelez's pledge to create park benches at only 13 courts suggests Mondelez does not expect many consumers to return Oreo packaging or that there may be an undisclosed participation limit. The weight of recycled plastic in 26 park benches is estimated to be <0.1% of Oreo plastic packaging sold per year in the U.S.

Yet scaling up the recycle-by-mail program larger could have serious climate impacts. As detailed by Beyond Plastics, mail-back programs for plastic packaging have significant environmental impacts that outweigh the meager benefits of downcycling plastic products into benches. Trucking billions of used Oreo plastic packages thousands of miles across the country to a sorting warehouse requires a vast amount of cardboard and generates significant carbon emissions. Since Mondelez pays for the program, the carbon emissions should be included in Mondelez "Scope 2" carbon emissions.

Instead of participating in this misleading scheme masquerading as a real solution, Mondelez should redesign Oreo plastic packaging to be truly recyclable or compostable through existing curbside programs and local processing that are easily accessed by all consumers.

**BE IT RESOLVED:** Shareholders request the board of directors issue a report by December 2022 providing the factual basis for the legitimacy of the recycle-by-mail program. The report should specify weight and percentage of all product packaging returned by consumers, carbon emissions from shipments per pound of plastic processed and independently verified proof that all the collected Oreo plastic packaging was manufactured into park benches.

**SUPPORTING STATEMENT:** Proponents note that the report should be prepared at reasonable cost, omitting confidential information, and include an assessment of the reputational, financial, and operational risks associated with continuing to sponsor a recycle-by-mail program that may be used by very few customers with high carbon emissions per pound of plastic processed in lieu of converting packaging to curbside recyclable or compostable materials.