



WESTERN REGION CORPORATE OFFICE
3800 S.E. 22ND AVENUE • PORTLAND, OR 97202-2999 • 503-232-8844

July 19, 2009

Re: Tracking Labels on The Kroger Co. Private Label Products for Children

Dear Vendors:

Effective August 14, 2009 the CPSIA requires manufacturers to have a tracking label on any consumer product primarily intended for children twelve and younger. The scope of this provision is quite broad in that it applies not only to toys but to baby and child care articles, clothing, and shoes as well. This tracking information must be supplied on both the retail packaging and *in permanent form* on the item itself. This tracking information consists of the source of the product, the date of manufacture, and further information specifying the window of production. A summary of the law can be found here:

<http://www.cpsc.gov/about/cpsia/summaries/103brief.html>

Tracking Labels on Packaging

Tracking labels for packaging are currently being integrated with our private label digital proofs. Our designated printer for private label packaging, Integra Trim, already has acceptable formats for packaging available from its website: [http://integratrim.com/Fred Meyer.html](http://integratrim.com/Fred_Meyer.html). Information on the packaging must include:

Inter-American Products
Production Date: *(MM/YY)*
Made in *City, Country*
UPC number
Batch or other unique identifying number if available

Please note the CPSC does not require the tracking label to be a “singular collection of information in one discrete location.” Since most packaging shall already include “Inter-American Products” and the UPC, it should only be necessary to add the production date, location, and batch number to the existing packaging format.

Tracking Labels on Product

The requirement for tracking labels is required on items only “to the extent practicable”. The CPSC has defined those exemptions here: <http://www.cpsc.gov/about/cpsia/sect103policy.pdf>.

For those items where it becomes truly impracticable to use a permanent marking, the vendor should then order semi-permanent stick-on tracking labels from the Integra Trim website, if the use of the stickers is itself practicable.

For permanent markings on the item, the necessary information should in most cases be incorporated with already existing information such as country of origin markings and RN numbers. In any case, the marking should be legible but placed discreetly and should not mar or interfere with the appearance of the product. In these cases it should appear in the above format in a sans serif font with a minimum 7 point typeface. If the above format proves impractical, the following, alternative format is also acceptable:

Inter-American Products
Production Date: (MM/YY)
Made in *City, Country*
Vendor #
Vendor Style Number
Batch or other unique identifying number if available

If you have any questions, please contact Drew Du Bois at: drew.dubois@kroger.com.

Sincerely,

Drew Du Bois
Compliance Manager, General Merchandise