



WESTERN REGION CORPORATE OFFICE

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

December 4, 2010

Re: Documentation of Ceramic Tabletop Testing for Kroger Enterprise

Dear Sir or Madam:

To ensure full compliance of the Kroger Enterprise with the various federal and state regulations regarding allowable lead levels in ceramics on potential food contact surfaces, Kroger had elected in 2008 to begin mandating its vendors maintain an accessible library of testing documentation on any ceramic tabletop pieces sold to the Kroger Enterprise.

In 2011 Kroger will begin to require that all new programs with the Kroger Enterprise test with its designated third-party laboratory, Bureau Veritas, under its proprietary protocol program. The new requirement will insure consistency in company requirements and facilitate and streamline the communication of testing data. A complete testing manual will be published shortly on the Kroger business-to-business website, which should be checked periodically for updates and announcements. Protocols and pricing are available online:

<https://bvcpnet.mtl-acts.com>

username: fvendoracl70

password: fr170vendo

Click "Docushare" and then "Program Documents", and then reenter the username and password.

For already existing programs, the standards are the same: upon notice of request, vendors are required to forward copies of all documentation within 24 hours. Copies should be sent to the testing coordinator, Drew Du Bois, at drew.dubois@kroger.com. Vendors testing under the new program with Bureau Veritas are not required to forward copies of their test results, as these are already automatically forwarded. Failure to comply with this policy will result in charge backs for non-compliance in addition any lost sales resulting from delay in issuing test reports.

Please have a company officer sign the below memorandum acknowledging receipt of this letter and understanding of the policy. If you have any questions regarding the new reporting requirements, please do not hesitate to contact the compliance manager at the above email address.

Sincerely,

Drew Du Bois

Compliance Manager for General Merchandise

The Undersigned Representative of Vendor warrants his/her authority to bind Vendor to the terms of the above Agreement and agrees the Vendor will comply with these terms and both shall be held responsible for any non-compliance.

Vendor _____

Representative _____

Title _____

Date _____