



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

April 7, 2009

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 has elected in 2009 to begin mandating its vendors maintain an accessible library of testing documentation on any ceramic tabletop pieces sold to the Kroger Enterprise.

Testing must show that the extractable cadmium and lead from the interior of the product is within the tolerances established by the United States Food and Drug Administration. Details of the FDA regulations CPG 7117.06 and CPG 7117.07 can be found at the following sites:

http://www.fda.gov/ora/compliance_ref/cpg/cpgfod/cpg545-400.html
http://www.fda.gov/ora/compliance_ref/cpg/cpgfod/cpg545-450.html

Testing must be conducted by an independent and nationally accredited testing laboratory. Internally generated company reports will not be accepted.

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. 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, 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 _____