



Suffocation Warning Label for Certain Plastic Bags

1. Background

Several states and cities, including California, Massachusetts, New York, Rhode Island and Virginia, Chicago and New York city, have laws requiring suffocation warning labels for plastic bags. Among them, Massachusetts law is generally the most comprehensive and restrictive and requires that any language, other than the warning specifically provided by the statute, have government approval.

2. What is this notice for?

This notice specifies Kroger’s requirements of suffocation warning label for applicable plastic bags. All private label products must meet requirements specified in this notice. Non-private label products are recommend following specifications in this notice as it satisfies all state and city requirements on this subject.

3. What products are covered under suffocation warning label requirements?

Plastic bags with the thickness of less than one mil (1/1000in) have an opening size of 5 inches or more are required to carry suffocation warning label.

4. What warning information is required?

The following warning statement will meet requirements of all state and local laws and is required to be on applicable plastic bags.

WARNING

To avoid danger of suffocation, keep this plastic bag away from babies and children. Do not use this bag in cribs, beds, carriage, or playpens. This bag is not a toy.

5. How should the warning statement be applied?

Required warning information shall be clear, distinct and conspicuous in color, layout and contrast. The warning shall be on the bag or on a label securely attached to the bag.

The warning label shall be repeated every 18 inches on the plastic bag.

6. What is the requirement on size type?

The minimum size type varies based on the size of the plastic bag as indicated in the following table that satisfies all state and local requirements except for Gering, NE which requires ¼ inch type size.

Total Length and Width of Bag Combined (except dry cleaning bags)	Minimum Type Size
Less than 25 inches	10 point
25 to 39 inches	14 point
40 to 59 inches	18 point
60 inches or more	24 point
Dry cleaning bags	36 point

For question, please contact Sr. Manager, General Merchandise Regulatory Compliance at megan.liu@kroger.com or 1-503-797-3323.