



THE KROGER CO.

1014 VINE STREET

CINCINNATI, OH 45202-1100

February 20, 2017

To Our Valued Suppliers,

At Kroger, we are strongly committed to ensuring the safety of products we sell across our enterprise as well as being responsible corporate citizens. As part of our commitment to corporate responsibility, we continuously look for ways to ensure we operate in a responsible manner and provide a safe environment our employees, our customers, and the communities we serve.

Kroger utilizes the WERCSmart Solution (WERCS), offered by UL Information & Insights to aggregate specific regulatory information for all chemical-containing items, over-the-counter health products, pesticides, aerosols, batteries, and other potentially hazardous-material products that you sell to us.

**Your role** as a supplier to Kroger is to register your product and formulations with WERCS, which includes making a current safety data sheet (SDS) available via WERCS. WERCS will then perform an assessment of each product to support Kroger's regulatory compliance goals.

All proprietary information provided to The WERCS is kept confidential. **WERCS is committed to the highest levels of security and will not share any proprietary information with Kroger or any other party.**

UL assesses a one-time annual subscription fee for WERCSmart registration, which is determined by the number of currently registered formulated and non-formulated products. All existing and new product registrations are fully paid under the annual fee. This includes all existing, new, and future participating retailers who implement WERCSmart in the future.

Pricing & Information Package can be downloaded from

[https://secure.supplierwercs.com/docs/wercsmart\\_subscription\\_12\\_2015b.pdf](https://secure.supplierwercs.com/docs/wercsmart_subscription_12_2015b.pdf)

**Action Required by March 31, 2017:**

For any qualifying product that Kroger has agreed to purchase:

- Navigate to the [WERCSmart](#) website
- Click *Sign In* (upper right corner)
- Select *Create Company Account* (if necessary) or enter account information to login
- Select *Register* (to indicate type of product) or you may select *Manage Products* to forward an existing registration/assessment to Kroger

Please complete the registration process for additional products Kroger may purchase and for any existing item whose formulation, ingredients, or UPC has changed. Suppliers will not be able to complete new item setup with Kroger until the product has been assessed by UL.

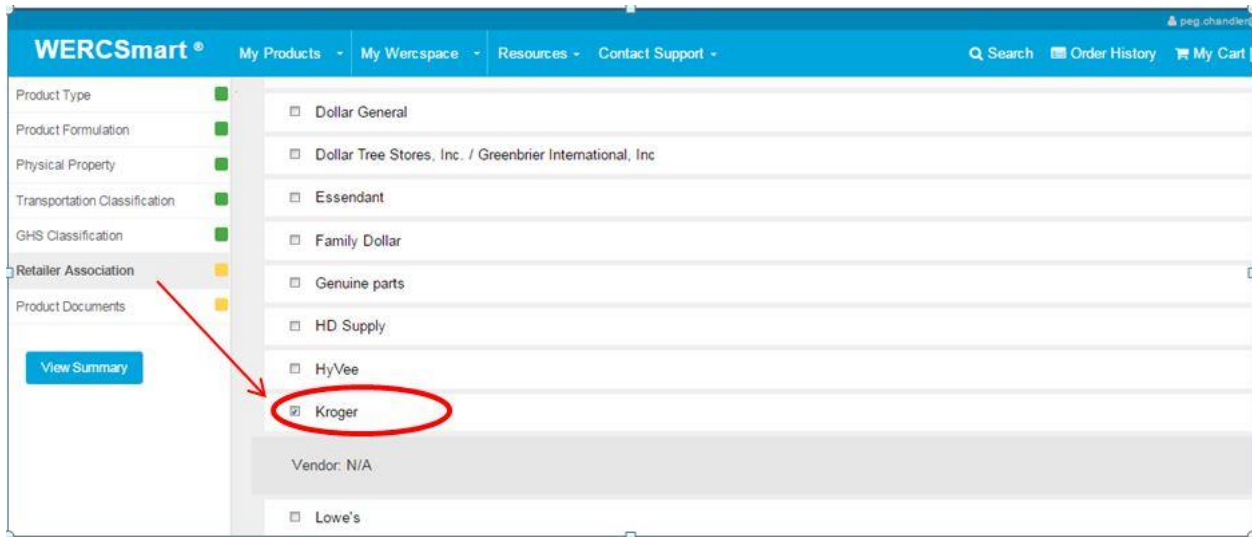
## Next Steps

All products subject to WERCS registration must be registered and directed to Kroger by **March 31, 2017**. Failure to meet the deadline could result in fines, removal of noncompliant products from Kroger Planograms, or other measures as deemed appropriate by Kroger management.

Products requiring WERCS registration are listed on the following page. This list is not all-inclusive. If you have questions about whether your product requires registration, please email us at [wercsinfo@kroger.com](mailto:wercsinfo@kroger.com) and copy your buyer/developer and [GMCompliance@kroger.com](mailto:GMCompliance@kroger.com).

## Already registered in WERCSmart?

If your products are already registered in WERCSmart, please log into your [WERCSmart](#) account and navigate to the *Retailer Association* tab on the left side of your screen (see below) for each registered product. Once on the *Retailer Association* page, please confirm that the box next to Kroger is checked. We have found that many suppliers have registered their products to other retailers but have not directed UL to feed data to Kroger. Under its supplier NDAs, UL does not automatically forward data to us unless you instruct them to do so.



## WERCSmart Registration Tips

- Ensure your UPC is accurately entered when registering your product; GTIN-12 (UPC-A, UPC-E) or GTIN-13 (EAN-13)
- WERCSmart assistance options (<http://wercsmart.kayako.com>):
  - Help Desk Hub with 24/7 resources available in their knowledgebase
  - Submit a Ticket
  - Use Chat feature (when available)
  - Video Tutorials

## Confirmation of Registration

Upon the successful completion of your 1st product registration, please send the confirmation email with the following information to [DirectGlobalSourcing@kroger.com](mailto:DirectGlobalSourcing@kroger.com), [GMCompliance@kroger.com](mailto:GMCompliance@kroger.com), and your buyer/developer.

- Name of Supplier
- Registered product description and UPC
- WERCs#

If you already registered, please send the confirmation email with the following information to [DirectGlobalSourcing@kroger.com](mailto:DirectGlobalSourcing@kroger.com), [GMCompliance@kroger.com](mailto:GMCompliance@kroger.com), and your buyer/developer:

- Name of Supplier
- Most recent registered product description and UPC.
- WERCs#

For questions regarding Kroger's program please email [wercsinfo@kroger.com](mailto:wercsinfo@kroger.com). Questions about the WERCSmart website (how to obtain login information, account privileges, etc.) should be directed to UL by clicking on 'Contact Support' at the top of the page located at <https://secure.supplierwercs.com>.

We sincerely appreciate your cooperation and partnership. It will help us both manage the regulatory compliance responsibilities that we have and alleviate the shared and costly exposures of noncompliance. It will also help minimize waste and aid in our efforts toward environmental sustainability, which will benefit the communities in which we live and serve.

Sincerely,



Christina Groth  
Vice President, General Merchandise, Health & Beauty Care and Non-Foods



Mel Bompreszi  
Vice President, Grocery



### Types of Products Requiring WERCS Registration (Non-Inclusive)

Chemical-Containing	<ul style="list-style-type: none"> <li>• Any product that is advertised or labeled to kill, repel, or prevent the growth of any living organism (including anti-microbial products)</li> <li>• Pesticides, garden chemicals and other products regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)</li> <li>• Any product that contains a powder, gel, paste, liquid, or gas, and which is not intended for human consumption</li> </ul>
Medication	<ul style="list-style-type: none"> <li>• Products intended for human inhalation, consumption, or absorption: lozenges, pills or capsules (e.g. pain reliever, vitamins, water pills)</li> <li>• Medicated swabs, wipes, and bandages</li> <li>• Patches (heated and/or medicated)</li> <li>• Contraceptive foams, films, and spermicides</li> <li>• All OTCs, vitamins, and/or nutritional supplements. Includes products that are labeled with Drug Facts, Supplement Facts, or “Active Ingredients.”</li> <li>• OTC inhalers</li> <li>• All smoking cessation (nicotine replacement) products</li> </ul>
General Merchandise/Personal Care	<ul style="list-style-type: none"> <li>• E-cigarettes</li> <li>• Equipment sold with chemicals (e.g. vaporizer sold with medication, air fresheners, gel shoe inserts)</li> <li>• Liquids, gel or semi-liquid (e.g., liquid soap, shampoo, conditioner, body wash, baby wash, cough medicine, eye drops, ear drops, nasal spray, fog solution, paint, coolant, anti-freeze, finger paint, glue etc. )</li> <li>• Products containing liquid, semi-liquid gel (e.g. double walled cups with liquid/gel and water globes, liquid/gel containing bubble lights or night lights, paint pens, paint marker, maker, highlighter, decoupage etc.)</li> <li>• Medicated shampoos, gums, ointments, and creams</li> <li>• Suntan lotion (cream and spray)</li> <li>• Lip balm, lip creams, and petroleum jelly</li> <li>• Skin lotions, creams, and ointments</li> <li>• All cleaning products</li> <li>• Cosmetics</li> <li>• Perfumes</li> <li>• Products generating scents (e.g. air refresher, room scents and diffuser)</li> <li>• Wax-containing products (e.g. crayon, candle)</li> </ul>
Aerosols	<ul style="list-style-type: none"> <li>• Any product that contains a compressed gas or propellant (e.g. canned air, silly string, colored hair spray, air fresheners, glitter spray and instant tanning etc.)</li> </ul>
Batteries	<ul style="list-style-type: none"> <li>• All batteries</li> <li>• Any product that contains a battery of any kind (e.g. toys containing batteries, light-up shoes and apparel, products with “try me” feature)</li> </ul>
Light Bulbs	<ul style="list-style-type: none"> <li>• Fluorescent, halogen, High-Intensity Discharge (HID) lamps (e.g., grow lamps), and neon</li> </ul>
Electronics	<ul style="list-style-type: none"> <li>• Any product that contains a circuit board (e.g. blinking lights or making sounds)</li> </ul>
Food/Grocery	<ul style="list-style-type: none"> <li>• Energy bars, energy/vitamin drinks, dietary supplements, water flavor enhancers, food coloring, cooking oil, vanilla extract, etc.</li> </ul>
Flammable or Combustible	<ul style="list-style-type: none"> <li>• Flammable or combustible products as defined by DOT, OSHA, NFPA, etc.</li> </ul>