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Contact: Aubriana Martindale (801) 974-1242

SMITH'S FOOD & DRUG STORES ANNOUNCE LOSS OF PRESCRIPTION RECORDS AT LAS VEGAS STORE

LAS VEGAS (October 25, 2019) – Smith's Food & Drug announced today that in late July 2019, a former associate improperly disposed of 12 boxes of pharmacy records at the Smith's store located on 4600 East Sunset Road, Henderson, NV. The incident was discovered on August 29, 2019.

In the course of the investigation of this incident, it was determined that hard copy prescriptions were involved and these records may include a patient's first name, last name, gender, date of birth, home address, phone number, drug name, prescription number and third-party payor information.

The records were at least 11 years old and discarded in the store's trash compactor. The compactor includes all waste from the store, including food. We have not received any indication that the information has been misused as a result of this incident.

"The former associate's actions were contrary to our policies and procedures and the associate was terminated for this incident," said Aubriana Martindale, Smith's Food & Drug Corporate Affairs Manager. "We take our patients' privacy seriously and are committed to creating additional safeguards to prevent a similar isolated event from recurring. Additionally, we are re-educating select associates on our HIPAA policies and procedures, including proper disposal of records. We sincerely apologize that this incident occurred."

We are unable to determine the identity of the pharmacy patients involved but have estimated that approximately 57,600 prescription records were inappropriately discarded. As a cautionary measure, we ask patients to review the statements they receive from their health plan.

Customers may contact the company at 1 (877) 551-7953 or in writing at The Kroger Co.'s HIPAA Privacy Office, 1014 Vine Street, Cincinnati, OH 45202.

Smith's Food & Drug Stores is a division of the Kroger Co. (NYSE:KR), one of the nation's largest retail grocers. Visit www.smithsfoodanddrug.com for more information.

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