

October 29, 2015

The Honorable Roy Blunt  
United States Senate  
Washington, D.C. 20510

**Re: Support the Common Sense Nutrition Disclosure Act of 2015 (S. 2217)**

Dear Senator Blunt,

As representatives of the restaurant and food retail sector employing 3.5 million people in grocery stores, 1.8 million people in convenience stores and more than a million people in 70,000 pizzerias in the United States, we support the *Common Sense Nutrition Disclosure Act of 2015* (S. 2217) to address problems with the Food and Drug Administration's (FDA's) final rule regarding menu labeling at restaurants and similar retail food establishments. The bill would maintain but modify FDA's menu labeling regulations to provide nutritional information to customers in a more usable format, and to protect small businesses from overly burdensome costs.

FDA's final menu labeling regulations, published on December 1, 2014, require labeling of "restaurant-type foods" at chain restaurants and other establishments with 20 or more locations, including supermarkets, grocery stores, convenience stores, and general merchandise stores. These broad and prescriptive regulations provide little flexibility and expose tens of thousands of businesses and their employees to a range of liabilities for even minor oversights. The regulations also impact many foods that are not standardized and not on menus or menu boards. For a typical grocery store, the regulations will impact 100-250 items per store, many of them fresh produce or from bakery, dairy or seafood departments. The rules also do not provide workable compliance options for restaurants that receive most of their orders remotely, such as pizza delivery. With more than 90 percent of pizza delivery orders being placed over the phone or online, few customers would ever use nutrition information posted on a menu board. They are also challenging for convenience stores which often have significantly different footprints and store layouts even within the same chain. Recent draft guidance released by FDA reinforced the rigidity of the Final Rule, compelling the need for legislation to impart some common sense and lessen the confusion this rule has created for both businesses and consumers.

All of our businesses and organizations support the *Common Sense Nutrition Disclosure Act of 2015* (S. 2217) because it preserves local foods or fresh items that may only be sold at one or two restaurant or store locations; provides some flexibility on the placement and display of nutritional information where customers make their purchasing decisions; clarifies that an advertisement is not a menu; includes some liability protection; and allows reasonable time for businesses to comply with the law. The bill does not exempt supermarkets, convenience stores or delivery operations from the menu labeling regulations but allows some practicality for providing nutritional information to customers based on the different ways that foods are prepared and sold across various venues and formats.

Our businesses want to provide customers with nutrition information. Passage of the *Common Sense Nutrition Disclosure Act of 2015* is needed, however, to provide the critical flexibility needed to deliver information to customers effectively and limit the burden on small businesses.

We appreciate your introduction of the *Common Sense Nutrition Disclosure Act of 2015* (S. 2217), and we support moving this legislation forward as soon as possible.

Sincerely,

The undersigned businesses and organizations,

A&J Select Market	Delhaize America, LLC
A-B Petroleum, Inc.	Doc's Food Stores Inc.
ADA Inc.	Domino's
Affiliated Foods Midwest	Douglas Distributing
AJ's Fine Foods Chandler AZ	E.Z. Mart Stores, Inc.
Alabama Grocers Association	Ellwood City Save A Lot
Albertsons Companies Inc.	Englefield Oil Company
Alon Brands, Inc.	Fairmount Grocery LLC
American Pizza Community	Family Fare
Anderson's Grocery	Family Fresh Market
Andy's Handy Mart	Fiesta Foods, Inc.
Arizona Food Marketing Alliance	Florida Petroleum Marketers and Convenience Store Association
Arkansas Oil Marketers	Food City
Associated Grocers, Inc.	Food Industry Alliance of NYS
Associated Wholesale Grocers	Food Industry Services, Inc.
B&V Enterprises Inc.	Food Marketing Institute
Bailey's IGA	Forest Hills Foods
Baker's Management, Inc.	Fremin's Food and Furniture Inc.
Bashas' Chandler AZ	Fresh Grocer
Berts Markets Inc.	Friedman's Freshmarkets
Big Y Foods, Inc.	Georgia Association of Convenience Stores
Blackjack Pizza	Georgia Food Industry Association
Bobby and Steve's Auto World	GetGo
Bonde's Quik Mart	GF Buche Co.
Breadeaux Pizza	Giant Eagle, Inc.
Burns and Burns	Giant Food LLC
Burns Oil	Giant Food Stores LLC
Busch's Fresh Food Markets	GLN Inc. DBA Nichols Dollar Saver & Country Mart
California Grocers Association	Godfather's
California Retailers Association	Granite Falls IGA
Callaway Oil, Inc.	Grolmus Enterprises
Casey's General Stores, Inc.	GRUSS Inc. DBA Ralphs & Poulsbo Red Apple Markets
Circle K Stores, Inc.	GT Petroleum
Clifford Fuel Company	H.A.C. Inc. Homeland Stores
Colorado Wyoming Petroleum Marketers Association	Hannaford Supermarkets
Columbiana Foods Inc.	Harbor Wholesale Foods
Connecticut Food Association	Harps Food Stores, Inc.
Cranford's	Harvest Foods Marketing, LLC
CT Energy Marketers Association	Hawaii Food Industry Association
D & G, Inc.	Hawaii Petroleum
D&W Fresh Market	HEB
Daughtridge Gas & Oil	

Henny Penny Convenience Store Chain	Miller's
Homax Oil Sales, Inc.	Minnesota Grocers Association
Humboldt Petroleum	Mississippi Petroleum Marketers & Convenience Store Association
Hungry Howie's	Mississippi Retail & Grocers Association
Hy-Vee	Missouri Grocers Association
Idaho Retailers Association	Missouri Retailers Association
Illinois Food Retailers Association	National Association of Convenience Stores
Indiana Grocery & Convenience Store Association	National Grocers Association
Indiana Retail Council	National Petroleum
International Pizza Hut Franchise Holder Association	NATSO: Representing America's Travel Plazas and Truck Stops
Jody's IGA	Nebraska Grocery Industry Association
K-VA-T Food Stores, Inc.	New Hampshire Grocers Association
Kanawha Terrace Supermarket	New Jersey Food Council
Kansas Food Dealers Association	New Mexico Petroleum Marketers Association
Kaune's Neighborhood Market	New York Association of Convenience Stores
Keith's Foods	Niemann Foods
Kentucky Grocers Association	North Carolina Petroleum & Convenience Marketers
Kentucky Association of Convenience Stores	North Dakota Grocers Association
Krasdale Foods, Inc.	Nutricion Fundamental, Inc.
The Kroger Co.	Nyquist Convenience Stores
Kum & Go, L.C.	O. V. SMITH & SONS Inc.
Kwik Check	Ohio Association of Convenience Stores
Kwik Trip, Inc.	Ohio Council of Retail Merchants
Little's Village IGA	Ohio Grocers Association
Louisiana Retailers Association	Oklahoma Grocers Association
Love's Travel Stops and Country Stores	Papa John's
Maine Grocers & Food Producers Association	Papa's Pizza To-Go
Martin's Super Markets, Inc	Papa Romano's
Maryland Retailers Association	Paradise Tomato Kitchen
Massachusetts Food Association	Peninsula Petroleum
Maverik, Inc.	Pennsylvania Food Merchants Association
Meijer	Pester Marketing
Michigan Association of Convenience Stores	Petroleum & Convenience Marketers of Alabama
Michigan Petroleum Association	
Michigan Grocers Association	
Mid Atlantic Petroleum Distributors' Association	
Midtex Oil, LP	Petroleum Marketers Association of America

Petroleum Marketers and Convenience Store Association of Iowa	Strough's IGA Supermarket Operations Inc.
Petroleum Marketers and Convenience Store Association of Kansas	Tennessee Grocers & Convenience Store Association
Pilot Flying J	Tennessee Retail Association
Pizza Factory	Texas Retailers Association
Potash Markets	The Convenience Group, LLC
Potter's Piggly Wiggly	The Hub Convenience Stores, Inc.
Price Chopper Supermarkets	The Myers Group
Price-Rite	Town and Country Markets
Ragland Bros Retail Cos., Inc.	Tybee Market Inc. IGA
Redwood Oil Company	Unified Grocers
Reid Stores Inc. d/b/a Crosby's	URM Stores Inc.
REM Markets	Utah Food Industry Association
Retail Association of Nevada	Utah Petroleum Marketers & Retailers Association
Retail Grocers Association of Greater Kansas City	Utah Retail Merchants Association Valley Petroleum
Rhode Island Food Dealers Association	Vermont Retail & Grocers Association
Rickers	Virginia Petroleum, Convenience, and Grocery Association
Ried's Market, Inc.	Virginia Retail Merchants Association
Rocky Mountain Food Industry Association	Walla Walla's Harvest Foods
Rosauers Supermarkets	Washington Food Industry Association
Rosauers Supermarkets, Inc.	Wawa, Inc.
Rotten Robbie/ Robinson Oil Company	West Virginia Oil Marketers and Grocers Association
Royal Buying Group, Inc.	Williams Inland Distributors
Rutter's Farm Stores	Wisconsin Grocers Association
Schnucks Markets, Inc.	Wisconsin Petroleum Marketers and Convenience Store Association
Sendik's Food Markets	WMDA Service Station & Automotive Repair Assoc.
Sheetz, Inc.	Wray's Marketfresh IGA
ShopRite	Y A Whitehills, Inc.
Society of Independent Gasoline Marketers of America (SIGMA)	Youngstown Area Grocers Association
South Dakota Petroleum and Propane Marketers Association	
South Pacific Petroleum Corporation	
SpartanNash Company	
St. Petersburg Enterprises, LLC	
Stepherson Inc. DBA Superlo Foods	
Stolz Northwest, Inc.	
The Stop & Shop Supermarket Company LLC	
Stop'nGo of Medina Inc.	
Stormans Inc.	