



March 16, 2009

The Honorable Richard Durbin  
United States Senate  
309 Senate Hart Office Building  
Washington, D. C. 20510

Dear Senator Durbin:

On behalf of the nation's supermarket industry, the Food Marketing Institute (FMI) wishes to express support for your recently re-introduced the "Combating Organized Retail Crime Act of 2009" (S. 470).

Your important initiative seeks to address the persistent and growing problem of Organized Retail Crime (ORC) that adversely affects both consumers and retailers alike. According to federal law enforcement officials, ORC translates into as much as \$30 billion in retail store losses every year. These sophisticated criminal enterprises steal large quantities of merchandise from retail stores and then resell their ill-gotten goods to pawn shops, flea markets, swap meets, questionable store-front operations and more frequently over internet auction sites.

In terms of supermarkets, ORC gangs typically steal infant formula, analgesics, diabetic supplies, smoking cessation products, razor blades, high-end cosmetics and gift cards, among other things. When these types of products particularly those that are regulated by the Food and Drug Administration are taken out of the normal channels of distribution, they are often not kept under ideal or required storage conditions which can harm the integrity of the product. This places consumers at risk, especially infants and seniors.

FMI believes the legislation that you have introduced is long overdue. The supermarket industry endorses efforts to strengthen the U.S. Criminal Code's treatment of ORC as a most serious offense. FMI deeply appreciates your leadership on the critical problem of ORC and we look forward to working with you in the months ahead toward enactment of federal legislation that will combat ORC.

Sincerely,

Leslie G. Sarasin, Esq., CAE  
President & Chief Executive Officer