

February 9, 2016

United States House of Representatives  
Washington, D.C. 20515

**Support the Common Sense Nutrition Disclosure Act of 2015 (H.R. 2017)**

Dear Representative,

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 seek your floor vote in support of H.R. 2017, the *Common Sense Nutrition Disclosure Act of 2015*, as approved with bipartisan support by House Energy and Commerce Committee 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 *Common Sense Nutrition Disclosure Act of 2015* maintains but modifies 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 Recent draft guidance released by FDA reinforced the rigidity of the Final Rule, compelling the need for legislation to impart some common sense and lessen the confusion this rule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.

Our businesses and organizations support the *Common Sense Nutrition Disclosure Act of 2015* 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 to be considered on the House floor 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.

We seek your floor vote in support of H.R. 2017, the *Common Sense Nutrition Disclosure Act of 2015*, as approved by the House Energy and Commerce Committee. Our businesses want to provide customers with nutrition information. Adoption 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.

Sincerely,

The undersigned businesses and organizations,

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

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

Price Chopper Supermarkets  
Price-Rite  
Ragland Bros Retail Cos., Inc.  
Redwood Oil Company  
Reid Stores Inc. d/b/a Crosby's  
REM Markets  
Retail Association of Nevada  
Retail Grocers Association of Greater Kansas  
City  
Rhode Island Food Dealers Association  
Rickers  
Ried's Market, Inc.  
Rocky Mountain Food Industry Association  
Rosauers Supermarkets  
Rosauers Supermarkets, Inc.  
Rotten Robbie/ Robinson Oil Company  
Royal Buying Group, Inc.  
Rutter's Farm Stores  
Schnucks Markets, Inc.  
Sendik's Food Markets  
Sheetz, Inc.  
ShopRite  
Society of Independent Gasoline Marketers of  
America (SIGMA)  
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.  
Strough's IGA  
Supermarket Operations Inc.  
Tennessee Grocers & Convenience Store  
Association  
Tennessee Retail Association  
Texas Retailers Association  
The Convenience Group, LLC  
The Hub Convenience Stores, Inc.  
The Myers Group  
Town and Country Markets  
Tybee Market Inc. IGA

Unified Grocers  
URM Stores Inc.  
Utah Food Industry Association  
Utah Petroleum Marketers & Retailers  
Association  
Utah Retail Merchants Association  
Valley Petroleum  
Vermont Retail & Grocers Association  
Virginia Petroleum, Convenience, and Grocery  
Association  
Virginia Retail Merchants Association  
Walla Walla's Harvest Foods  
Washington Food Industry Association  
Wawa, Inc.  
West Virginia Oil Marketers and Grocers  
Association  
Williams Inland Distributors  
Wisconsin Grocers Association  
Wisconsin Petroleum Marketers and  
Convenience Store Association  
WMDA Service Station & Automotive Repair  
Assoc.  
Wray's Marketfresh IGA  
Y A Whitehills, Inc.  
Youngstown Area Grocers Association