

February 5, 2018

Dear Representatives:

On behalf of grocery stores, pizzerias, and convenience retailers across the United States, we request that you support the Common Sense Nutrition Disclosure Act of 2017 – H.R. 772 – when it is considered on the floor of the U.S. House of Representatives. CSNDA would provide our businesses, which have highly variable menu offerings, with more efficient compliance with the caloric disclosure rule issued by the Food and Drug Administration (FDA).

The retail food marketplace is a diverse one with many different types of retail establishments that use various business models. FDA wrote the rule essentially for one type of restaurant – those with a static or fixed menu – and ignored all others in the marketplace. The recent FDA guidance was unable to resolve the issues we needed resolved. With the **May 7, 2018** compliance date only a few months away, now is the time for Congress to take action and fix the rule.

Opponents of CSNDA have made false claims and we would like to set the record straight. Some NGOs and others who are looking to exploit and profit from the rule's problems have claimed that our industries are attempting to gain an "exemption" from the FDA rule. **This charge is patently untrue.** Nothing in CSNDA would exempt any industry from the calorie-disclosure regulations. Every retail establishment covered under FDA's current rule would remain covered should the CSNDA become law. These covered entities simply would gain needed regulatory flexibility.

Others have claimed that passage of CSNDA would endanger the federal preemption that exists under the rule or that it would cause undue confusion in the marketplace. **These as well are false claims.** CSNDA explicitly maintains the same federal preemption that exists under the current rule. Due to the flexibility provided by CSNDA, any establishment that already has entered into compliance with the rule as it exists presently would still be in compliance once the CSNDA is law. These retailers would not be required to change anything.

CSNDA also provides relief from some of the most egregious sections of the existing rule to all retail food establishments, regardless of business model. It eliminates the possibility that store managers would be subjected to felony penalties for inadvertent errors in the calorie disclosures, and protects all covered stores and restaurants from the threat of frivolous litigation. At the same time, the legislation leaves FDA as the "cop on the beat" for compliance. FDA would maintain all the same tools it currently has in other areas of its jurisdiction to seek out true bad actors and those who may wish to avoid the law.

Our industries want a national standard for how we disclose the caloric content of the food we sell to our customers. CSNDA will provide that national standard while at the same time ensuring that we are able to do so without undue burdens that ultimately will result in fewer food choices for consumers. Already, suppliers of local and fresh foods that lack the resources to comply with the current rule are losing contracts. By supporting CSNDA, and helping it become

law, you will be helping your constituents get the information they want while protecting small businesses' ability to continue to compete and innovate in this space.

Please vote for the *Common Sense Nutrition Disclosure Act of 2017*.

Sincerely,

3088 Investments LLC	Cary Oil, Inc.
ABC Stores	Casey's General Stores, Inc
ADA Inc dba Q Squares	Charlie's Chocolate and Cravings, Inc.
Ahold Delhaize	Chestnut Ridge Exxon Tigermarket
Alabama Grocers Association	Chronister Oil Company
Albertsons Companies	Cleo Bustamante Enterprises, Inc.
Aldin Associates Limited Partnership	Clifford Fuel Co., Inc.
Alex Lee	Coborns Inc
Alon Brands	Coleman Oil Company
American Petroleum and Convenience Store Association	Colorado Wyoming Petroleum Marketers Association
American Pizza Community	Connecticut Food Association
Arizona Food Marketing Alliance	Coulson Oil Company dba Road Runner Stores
Arkansas Grocers and Retail Merchants Association	Country Pride Restaurants
Arkansas Oil Marketers Association	Cox Oil Company, Inc. dba Little General Convenience Stores & Delis
Arrowest, Inc.	Crossroads Markets Inc.
Associated Food & Petroleum Dealers	Cubby's Inc.
Associated Food Stores, Inc.	Cumberland Farms, Inc.
Associated Wholesale Grocers, Inc.	Custer Oil Co., Inc
Bader's Food Mart	Danbury Country Store
Baesler's Markets	Dandy Dan's Inc
Barcomb Management Group Inc	Dari Mart Stores, Inc
BF Holdings LLC DBA Latitudes	Delaware Food Industry Council
Big Y Foods	DFW Oil & Energy LLC
Bonde's Quik Mart Country Deli & Bakery	Dhaliwal & Associates
Breeze Thru Markets	Dodge's Stores
Broadway Truck Stops	Domino's
Brookshire Grocery Company	Double Quick, Inc.
Bryant Taconic Corp	Enmarket
Buffalo Services, Inc DBA B-Kwik Food Marts	Expreso, Inc
Burns & Burns, Inc.	E-Z Mart Stores, Inc.
C. W. White, Inc.	E-Z Stop Food Marts Inc.
California Grocers Association	Figaro's / Nick-N-Willy's Pizza / Pizza Schmizza
California Independent Oil Marketers Association	Florida Grocers Association
Callaway Oil, Inc	Flory's Corp
Carolinas Food Industry Council	Food Industry Alliance of New York

Food Marketing Institute  
Fresh Encounter, Inc.  
Fritz Ventures,inc  
Gabriella Rose LTD  
Gasamat Oil Corporation  
Gastek Operators, LLC  
Gate Petroleum Company  
Georgia Association of Convenience Stores  
Georgia Food Industry Association  
Giant Eagle  
GJP Enterprises  
Godfather's Pizza  
Golden Pantry  
Go-Mart, Inc.  
Good Oil Company  
Gregerson's Foods  
Gresham Petroleum Co.  
GT Petroleum Company dba GT Fast Mart  
Hawaii Food Industry Association  
Hawaii petroleum marketers association  
Herdrich Petroleum Corporation  
Herndon Oil Corp. DBA Southern Traders  
Highland Park Market  
Hi-Noon Petroleum/Noon's  
HJB Convenience Corporation dba  
Russell's Convenience  
Hollin Hall Automotive  
Huck's-Martin & Bayley, Inc  
Humboldt Petroleum, Inc.  
Hungry Howie's  
Hunt Brothers Pizza  
Hy-Vee  
Idaho Petroleum Marketers and  
Convenience Store Association  
Idaho Retailers Association  
Illinois Food Retailers Association  
Illinois Petroleum Marketers Association-  
Illinois Association of C-Stores.  
Indiana Grocery & Convenience Store  
Association, Inc.  
International Pizza Hut Franchise Holders  
Association  
Iowa Grocery Industry Association  
Iowa Grocery Industry Association  
Iron Skillet Restaurants  
Irvine Service Station, Inc.

J. McCormick, LLC  
Jaco Oil / Fastrip Food Stores  
Jaco Oil Co.  
JD Carpenter Companies, Inc.  
JDG Fuel Marts LLC.  
Jiffy Mart Stores  
Kansas Food Dealers Association  
Kent Kwik Convenience Stores  
Kentucky Grocers and Convenience Store  
Association  
Kentucky Petroleum Marketers Association  
KEPR Corporation  
The Kroger Co.  
KSAP, Inc., dba Kwik Stop Convenience  
Stores  
K-VA-T/Food City  
Kwik Chek  
Kwik Shop  
Kwik Stop Food Stores  
Kwik Trip, Inc.  
LA Oil Marketers & Convenience Store  
Association  
Last Minit Mart  
Legacy Feed & Fuel  
Loaf 'N Jug  
Lonvigsons Service Center dba 36 Lyn  
Refuel Station  
Louisiana Retailers Association  
Love's Travel Stops and Country Stores.  
Lucky Seven General Stores, Minnesota  
Maine Energy Marketers Association  
Maine Grocers & Food Producers  
Association  
Martin's Supermarkets  
Maryland Retailers Association  
Massachusetts Food Association  
Matrix Capital Markets Group  
Maverik, Inc.  
Meijer  
Michigan Association of Convenience  
Stores  
Michigan Grocers Association  
Michigan Petroleum Association  
Mid-Atlantic Petroleum Distributors  
Association  
Midtex Management, Inc.

Midwest Petroleum  
Midwest Retail Group LLC 7-Eleven  
Wisconsin  
Miller Oil Co., Inc.  
Minit Mart Convenience Stores  
Minit Stop Stores Hawaii  
Minnesota Grocers Association  
Minnesota Petroleum Marketers  
Association  
Minnesota Service Station & Convenience  
Store Association  
Mississippi Petroleum Marketers &  
Convenience Stores Association  
Missouri Grocers Association  
Missouri Petroleum Marketers &  
Convenience Store Association  
Mountain Counties Supply Company  
Murphy USA  
National Association of Convenience  
Stores  
National Association of Truck Stop  
Operators  
National Grocers Association  
National Pork Producers Council  
Nebraska Grocery Industry Association  
Nebraska Petroleum Marketers & C-Store  
Association Inc.  
Nevada Petroleum Marketers &  
Convenience Store Association  
New England Convenience Store & Energy  
Marketers Association  
New Hampshire Grocers Association  
New Jersey Food Council  
New Jersey Gasoline, C-Store, Automotive  
Association  
New Mexico Petroleum Marketers  
Association  
New Mexico Retail Association  
New York Association of Convenience  
Stores  
North Carolina Retail Merchants  
Association  
North Dakota Grocers Association  
Northwest Grocery Association  
Northwestern Pennsylvania Food Council  
Nouria Energy Corporation

Ohio Association of Convenience Stores  
Ohio Council of Retail Merchants  
Ohio Grocers Association  
Oklahoma Grocers Association  
Papa John's Pizza  
Paradise Tomato Kitchens  
Peninsula Petroleum, LLC  
Pennsylvania Food Merchants Association  
Pester Marketing  
Petroleum Marketers & Convenience Store  
Association of Kansas  
Petroleum Marketers Association of  
America  
Petroleum Realty Corporation  
Pilot Flying J  
Pizza Factory  
Pony Express  
Ports Petroleum Co., Inc. dba Fuel Mart  
Pride Stores LLC  
Progressive Convenience, Inc  
Pump N Pantry, Inc.  
Quaker Steak and Lube Restaurants  
Quik Stop  
QuikCheck Corporation  
QuikTrip Corporation  
R Marts LLC  
R. L. Jordan Oil Company  
RaceTrac  
Reid Stores Inc. dba Crosby's  
Retail Association of Nevada  
Retail Grocers Association of Greater  
Kansas City  
Rex C Store  
Rhode Island Food Dealers Association  
Rickers  
Robinson Oil dba Rotten Robbie.  
Rocky Mountain Food Industry Assn  
Romeoville Mobil  
Sai Aarya Inc.  
Schnuck Markets  
Select Fuel & Convenience  
Sheetz, Inc.  
Short Stop, Inc.  
SIGMA  
South Carolina Retail Association

South Dakota Petroleum and Propane  
Marketers Association  
South Pacific Petroleum Corp – Guam  
South Tennessee Oil Co., Inc., Quik Mart  
Convenience Store  
Speedee Mart, Inc  
Sprint Food Stores, Inc  
Sprint Mart  
St. Petersburg Enterprises, LLC  
Strauch Companies  
Sunset Marts Inc.  
TA Operating LLC  
Tennessee Grocers & Convenience Store  
Association  
Texas Food & Fuel Association  
Texas Retailers Association  
The Convenience Group, LLC  
The Hub Convenience Stores, Inc.  
The LINN Companies  
The Port-Blue River  
Todd's IGA Express  
Tom Thumb  
Toms Sierra Co. dba Sierra Energy  
Toot'n Totum Food Stores LLC.  
Town Center Petroleum Inc.  
Town Center Petroleum LLC  
TravelCenters of America  
Tri-State Petroleum Corporation  
Turkey Hill  
UMCo LLC dba THE Urban Market  
United Pacific  
Utah Food Industry Association  
Utah Petroleum Marketers and Retailers  
Association  
Utah Retail Merchants Association  
Vermont Retail & Grocers Association  
Virginia Petroleum Convenience and  
Grocery Association  
Virginia Retail Merchants Association  
Wakefern Food Corp  
Warrenton Oil Company  
Washington Food Industry Association  
Wawa, Inc  
Wayfield Foods  
Weigel Stores, Inc.  
Weis Markets

West Virginia Oil Marketers Association  
WFH, Inc.  
Wisconsin Grocers Association  
Wisconsin Petroleum Marketers and  
Convenience Store Assn.  
Yesway  
Young Oil