



WESTERN REGION CORPORATE OFFICE

3800 S.E. 22ND AVENUE • PORTLAND, OR 97202-2999 • 503-232-8844

May 24, 2010

Dear Kroger Vendor:

To comply with the requirements of the California Air Resources Board (“CARB”) rulemaking for Formaldehyde emissions, Kroger is required to meet the standards as set forth in the regulation order 93120-93120.12, Title 17, CCR Airborne Toxic Control Measure for Formaldehyde Emission from Composite Wood Products.

For your convenience the requirements for “Chain of Custody” as stated in the statute are substantially as follows (please refer to the statute):

1. Notification Letter. This document serves as the official notification from the user to the “supplier” in accordance with the statute.
2. Proper labeling of the products.
<http://www.arb.ca.gov/toxics/compwood/outreach/labelingadv.pdf>
3. Certification from the manufacturer that all composite wood products used by the fabricator meet the emission requirements. (noted in Table 1 of the statute).
4. Retention of the data to support the certification requirements.
5. Verification by labs certifying that composite wood product have met the requirements of a recognized third party certifier and said certifier is in good standing and registered with the agency.
6. Requirement that the bill of lading or packing slip declare that the composite wood products contained in the finished goods comply with the applicable phase 1 or phase 2 emission as specified in 93120.2(a).

As you are aware, compliance with the regulations is mandatory for all products produced for us. Please sign this letter on the space below to acknowledge its receipt and return to us at drew.dubois@kroger.com in order to verify that products supplied to us comply with the applicable emission standards. Thank you.

Sincerely,

Drew Du Bois
Compliance Manager, General Merchandise

AGREED:

Supplier Name _____

Signature _____

Date _____