

DRAFT JOINT-LETTER

The Honorable XXXXXXXX
United States House of Representatives
XXXX House Office Building
Washington, D.C. 20015

Dear Representative XXXXXXXX,

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 are writing in support of the *Common Sense Nutrition Disclosure Act of 2015* (H.R. 2017) to address problems with the Food and Drug Administration's (FDA's) final rule regarding menu labeling at restaurants and similar retail food establishments.

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 doing business under the same name, 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 where there are currently no menus or menu boards. For a typical grocery store, the regulations will impact 100-250 items per store, many of them fresh produce items or from bakery, dairy or seafood counters. 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.

As mentioned above, all of our businesses and organizations support the *Common Sense Nutrition Disclosure Act of 2015* (H.R. 2017), which limits the regulations to foods that truly are standardized at 20 or more locations; provides some flexibility on the placement and display of nutritional information where customers make their purchasing decisions; clarifies that a menu is not the same as an advertisement; provides some liability protection; and allows reasonable time for regulated stakeholders to comply with the law.

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

We seek your support for the *Common Sense Nutrition Disclosure Act of 2015* and for moving this legislation forward.