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### **FMI Statement on Proposed FDA Menu Labeling Regulations**

ARLINGTON, VA – April 1, 2011 – The Food Marketing Institute released the following statement from Regulatory Counsel Erik Lieberman regarding today's announcement by the U.S. Food and Drug Administration on new menu labeling requirements:

"The U.S. Food and Drug Administration has acknowledged that the law does not require them to regulate supermarkets. They are considering excluding the industry from the menu labeling rules and we strongly urge them to do so. Congress never indicated it intended for supermarkets to be covered by the law.

"Although Congress did not intend to regulate supermarkets, food retailers--not restaurants--will bear the biggest share of the burden under the rule if FDA moves to regulate them. By excluding supermarkets from the rule, FDA will reduce costs to the industry -- and consumers -- by tens of millions of dollars while meeting the requirements of the law. We look forward to continuing our dialogue with FDA as it proceeds with the regulatory process."

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Food Marketing Institute (FMI) conducts programs in public affairs, food safety, research, education and industry relations on behalf of its 1,500 member companies — food retailers and wholesalers — in the United States and around the world. FMI's U.S. members operate approximately 26,000 retail food stores and 14,000 pharmacies. Their combined annual sales volume of \$680 billion represents three-quarters of all retail food store sales in the United States. FMI's retail membership is composed of large multi-store chains, regional firms and independent supermarkets. Its international membership includes 200 companies from more than 50 countries. FMI's associate members include the supplier partners of its retail and wholesale members.