



1014 VINE STREET • CINCINNATI, OHIO 45202-1100

March 26, 2008

Vincent J. Fusaro
Fresh Products Branch
Fruit & Vegetable Programs
Agricultural Marketing Service
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Room 1661 South Building, Stop 0240
Washington, DC 20250-0240

Dear Mr. Fusaro:

Re: Re: United States Standards for Grades of Table Grapes (European or Vinifera Type)
Docket # AMS-FV-07-0140
Federal Register, Vol. 73, No. 38, 02/26/2008, page 10185

The Kroger Co. is the largest traditional grocery retailer in the United States. We operate more than 2,400 grocery stores in 37 states. We employ more than 310,000 associates in our traditional grocery stores, convenience stores, jewelry stores, manufacturing plants and distribution centers.

On behalf of The Kroger Co. and our customers, I appreciate the opportunity to submit comments concerning the proposed rule for United States Standards for Grades of Table Grapes. The AMS seeks to add a 5 percent allowance for shattered berries in consumer containers.

In 2007, grape sales in Kroger and our family of banners increased more than 8%. We have seen steady increases in grape sales since 2002, and we believe that is due to the improved quality of the product and the desire of customers to seek out fresh and healthy snacks and meals. Grapes today represent the 7th largest commodity in scanned sales in our produce departments.

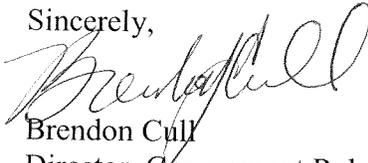
Our goal in the Kroger produce department is to provide a variety of high quality, fresh fruit and vegetables to our customers. The proposed rule by AMS will allow up to 17% of the berries to be defects and shatters. This is unacceptable to many customers and families who want their grapes to be fresh and attached to the stem. Our experience has consistently shown that our customers seek out the bags with the most berries still attached to the stem.

The bags that have higher numbers of shatters consistently sit in the produce cases for longer amounts of time and often become “shrink” or products that must be discarded. Mold and bacteria can develop at an accelerated rate with shattered berries, and some of the berries will in fact split and become unsaleable.

The proposed rule from AMS clearly represents a *decrease* in the quality standards for number one grade grapes, and we believe our customers want our goal to always be to *increase* the quality of the grape delivered to a customer.

Reducing the standards for grade one grapes will reduce the quality of grapes that customers buy in produce sections of America’s grocery stores. The AMS should reconsider and table its proposal to add a 5% allowance for shattered grapes.

Sincerely,

A handwritten signature in black ink, appearing to read "Brendon Cull". The signature is fluid and cursive, with a large loop at the end.

Brendon Cull
Director, Government Relations and Regulatory Affairs