



**LETTER TO CUSTOMER REGARDING AMERICOLD'S NEW POLICY
REQUIRING BIOTERRORISM MANDATED INFORMATION FROM
CUSTOMERS BEFORE PROCESSING ORDERS**

Re: AmeriCold Logistics Compliance with Bioterrorism Act Article 306 – Effective 12/9/2005

AmeriCold Logistics has implemented measures to meet the requirements of the Bioterrorism Preparedness and Response Act of 2002 (the “Act”), which took effect on December 9, 2005. In order to comply with the Act, we must be able to obtain and compile certain information required by the Federal Government regarding the description, origin, destination, quantity and other information on food products we store and handle in our warehouses, as well as on food products for which we may arrange the transportation logistics. As such we have been partnering with our customers to maintain information critical to meeting the requirements referenced in §306 of the Bioterrorism Act. For more information on the Bioterrorism Act please refer to the following web link:

<http://www.fda.gov/oc/bioterrorism/bioact.html>

In order to comply with the requirements of the Act we implemented new policies and procedures. These new policies and procedures require AmeriCold to enlist the help of our customers in providing information on product data, consignee data and production plant data, unless our customer’s product is exempt from the requirements of the Act. The information is being gathered from our customers during the processes by which the customer’s product enters or leaves our facilities.

The only products that are exempt under the Act are those within the exclusive jurisdiction of the U.S. Department of Agriculture (USDA) under the Federal Meat Inspection Act ([21 U.S.C. 601](#) et seq.), the Poultry products Inspection Act ([21 U.S.C. 451](#) et seq.), or the Egg products Inspection Act ([21 U.S.C. 1031](#) et seq.). So, for meat, poultry and egg products coming from facilities with USDA Grants of Inspection, and official establishment numbers and that are visited by FSIS inspection personnel whenever they are in operation, the Bioterrorism’s record keeping requirement will not be applied. As long as this is the case, we will not be gathering all the information required under the Act when product is received or transported from one of our facilities.

The information we will need for all other products is detailed on the next two pages.

CONTACT PERSON

As a first step in the process, we have been asking our customers provide to AmeriCold the name, telephone, e-mail address, fax number and street address of the contact person in the company for Bioterrorism Act information requests.

INBOUND SHIPMENTS

With regard to all inbound shipments from one of the customer's facilities to one of ours, our new policy requires the customer to provide the following information with regard to all inbound shipments to AmeriCold Logistics:

- Identification of the specific address, telephone number and contact from where the product was shipped
- The name of the transporter who delivered the product including address telephone number and fax number if available. If the transporter was from a production facility, the plant number, address, telephone number and contact name is being recorded.
- If the carrier is a non common carrier, AmeriCold requires the Vehicle License Plate number as additional information
- All required information regarding the product including description, brand name/variety, quantity, and lot code to extent it is available will be recorded.

If we do not have the above described information from the customer (the Immediate Previous Source under the Act or "IPS"), the processing of any inbound shipment orders might be delayed. The record retention period for food products will be for 2 years as required by the FDA.

OUTBOUND SHIPMENTS

With regard to all outbound shipments of customer product from one of our facilities to other destination points, we have been requiring customer assistance in obtaining the following information for recording all outbound orders from AmeriCold Logistics:

- Identification of the shipping location including name, address and telephone number (if we do not already have this information from our potential role in arranging for the related transportation).
- Identification of the specific consignee firm name including address, contact name, telephone number and fax number if available where product is to be delivered
- The name of the transporter who will be delivering the product including address, telephone number and fax number if available. (If the transporter is not a common carrier, AmeriCold will require the vehicle license plate number as additional information.)

In addition, we will also be recording the following information with regard to all outbound orders from AmeriCold Logistics:

- The seal number(s) assigned to the trailer, railcar or container. If the vehicle is unable to maintain a seal, the Vehicle License Number will be maintained in lieu of seal numbers.
- All required information regarding the product including description, brand name/variety, packaging (i.e. 25 lb carton or 12 24 oz. packages), lot code to the extent it is available and quantity will be recorded on the 'Bill of Lading'.

If all of the information detailed above for outbound shipments is not available at the proposed time of shipment, there could be delays in completing the process. All information recorded will be retained for a period of two years as required by the FDA.

There is some additional information we need from Customers with regard to EDI 940 order transactions for shipments out of warehouses that run the Portland based WMS. This information is also needed for Bioterrorism Act compliance. If the customer stores product in both Atlanta and Portland WMS based warehouses the customer can make the EDI changes for all 940's if it would be easier for the customer.

If the customer has not already done so, the customer should add a G61 Contact segment in the 940 Header Loop 100 and populate as follows:

G6101 Element 366 'IC'
G6102 Element 93 Name of contact at the consignee.
G6103 Element 365 'TE'
G6104 Element 364 Contact's phone number

As we move forward with these initiatives, we will continue to look to our customers to provide the necessary information to succeed in this compliance effort. Information regarding customer products, brands and shipping requirements will be maintained in strict confidence and will not be shared publicly with any firm other than those directed by the customer or the customer's representative.

As the above discussion indicates, we will be seeking information from customers for the sole purpose of complying with the specifically defined requirements of the Bioterrorism Act and its implementing regulations. Likewise, as customers seek to satisfy their independent need to comply with the Federal Government's direct information requests to the customer under the Bioterrorism Act, our customers should know that Americold will fully cooperate in providing information we possess which is needed by customers to respond to the Federal Government's requests. However, we do want to point out that at the present time we will support only the federally mandated information requests from the customer.

If you have any questions, please contact your account representative or Susan Brandvold at 678-441-1491 or by email at sbrandvold@amclog.com.