

# United States Senate

WASHINGTON, DC 20510

January 18, 2008

John W. Chidsey  
Chief Executive Officer  
Burger King Corporation  
5505 Blue Lagoon Drive  
Miami, FL 33126

Dear Mr. Chidsey:

We write asking Burger King to participate in a proposed initiative to increase the piece rate for tomato workers. Recent reports suggest that the per bushel piece rate that farm workers in Immokalee, Florida, are paid has not increased in the past two decades. Reports also indicate that slavery cases have been successfully prosecuted against individuals in the region's tomato industry. In addition, we have heard firsthand that living conditions of local workers are among the worst in the agriculture industry.

In light of these concerns, we support recent industry actions to increase the piece rate paid to these workers. Both McDonald's Corporation and Yum! Brands have taken important steps to providing the region's farm workers with an additional penny per pound of tomatoes harvested. Such an increase would have a meaningful effect for these workers.

Recent actions taken by your company seem to suggest that Burger King Corporation is not willing to participate in the penny-per-pound program. Opponents of the penny-per-pound program have argued that it violates antitrust law, but these objections do not hold up to even minimal scrutiny. Furthermore, the experiences of McDonald's Corporation and Yum! Brands in setting up appropriate mechanisms to pay workers indicate that the logistical challenges of the program are not insurmountable.

According to your website, Burger King Corporation is the second largest fast food hamburger chain in the world, recording \$2.23 billion in revenue in fiscal year 2007. As a large, profitable corporation and a significant buyer of tomatoes from the region, we urge you to revisit your position. Most estimates suggest the penny-per-pound program would cost Burger King less than \$300,000 per year.

We respectfully request that you inform us of your position on this matter within ten days. Thank you for your attention to this matter.

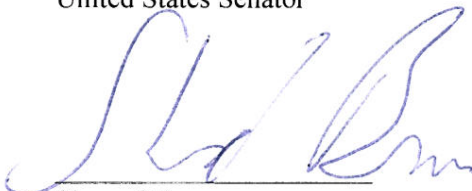
Sincerely,



Richard J Durbin  
United States Senator



Bernie Sanders  
United States Senator



Sherrod Brown  
United States Senator