

Sharon Russell
Associate Controller for Procurement
The City University of New York
Office of Budget and Finance
230 West 41st Street
New York, NY 10038

Dear Ms. Russell:

I am replying to your March 28 letter in response to our inquiries regarding Coca-Cola's efforts to secure an exclusive pouring rights contract for CUNY. Although you sent the letter to the correct address, it was delayed getting to us because it had been placed in someone else's mailbox. Please feel free to e-mail any future correspondence to us at info@CorporateCampaign.org.

We assume that your letter is in response to the letters signed by myself and others sent on February 28 to each member of the Board of Trustees and the Chancellor. Does this mean that your office is in charge of deciding which companies are qualified to procure a pouring rights contract? If not, who makes the final decision and do the Board of Trustees and the Chancellor have any say in that decision?

You state in your letter that "All proposers are required to demonstrate compliance with the minimum qualifications set forth in the RFP, which include the enforcement of fair labor practices in the United States and abroad with respect to its employees and those of its bottlers, distributors and other contractors."

You further state, "As a publicly funded University, CUNY complies with all applicable procurement regulations..."

Who is in charge of investigating whether The Coca-Cola Company meets the standards of complying with "fair labor practices in the United States and abroad with respect to its employees and those of its bottlers, distributors and other contractors"?
What methodology is being used in the investigation?

Our letter clearly laid out a series of very grave charges, which are well-documented in films, books, reports, lawsuits, first-person accounts and on websites such as www.KillerCoke.org, StopCokeDiscrimination.org and <http://www.indiaresource.org/>, clearly indicating that The Coca-Cola Company and many of its bottlers, are involved in egregious labor and human rights abuses worldwide, including right here in New York City. These charges are not new; this company has an ugly past and present.

When can my office expect a meeting with whomever is in charge of investigating whether The Coca-Cola Company, its bottlers, distributors and other contractors are complying with fair labor practices since we are well-recognized for our knowledge and involvement relating to Coca-Cola and these issues?

When will your investigators speak or meet with esteemed labor/human rights attorneys Terry Collingsworth, executive director of International Rights Advocates and Dan Kovalik, senior associate general counsel of the United Steel Workers. Both of these men have first-hand knowledge of Coke's complicity in horrific human rights abuses from all their investigatory work

on behalf of victims of Coca-Cola's and its bottlers' abusive labor practices in Colombia and Guatemala.

Currently, Mr. Collingsworth has a lawsuit against The Coca-Cola Company and its operations in Guatemala. The lawsuit filed in federal court in New York accuses the defendants of being involved in murder, attempted murder and gang rape of union leaders and family members.

When will your investigators talk or meet with documentary filmmakers and authors who have done extensive research and interviews while traveling worldwide documenting these abuses? I'm sure that filmmakers German Gutierrez ("[The Coca-Cola Case](#)"), Mark Thomas ("[Dispatches: Mark Thomas on Coca-Cola](#)") and Olivia Mokiejewski ("[Coca-Cola Et La Formule Secrète](#)") will be willing to speak to investigators regarding what they discovered.

Incidentally, Coca-Cola threatened the producers of "The Coca-Cola Case" with a lawsuit if the film wasn't censored. The National Film Board of Canada did not back down, no lawsuit was filed and the film continues to be shown throughout the world and is available on Netflix. Coke [threatened to end millions of dollars in advertising](#) with a French national television station if it aired "Coca-Cola Et La Formule Secrète." The film played to a national audience in France of more than 2 million viewers in January of this year and an English version will soon be distributed. A portion of the film highlights Coke's victims of racial discrimination in New York.

I'm also sure that Michael Blanding, author of "The Coke Machine," and Mark Pendergrast, author of "For God, Country and Coca-Cola," would be willing to speak with investigators.

When will your investigators speak with [Angel Alvarado](#), a former 16-year marketing executive for Coca-Cola in Mexico? Information on his labor and criminal lawsuits accusing Coca-Cola of cheating Mexican workers and the Mexican government out of hundreds of millions of dollars can be viewed on the [Mexican government's official website](#), [on Mr. Alvarado's website](#) and on [KillerCoke.org](#)

In May 2011, [Corpusiure](#), a corporate law firm headquartered in Mexico City, issued a special report titled "The Coca-Cola Company Investigated For Tax Evasion" warning its clients not to follow in Coca-Cola's footsteps.

The report stated, "Despite...the investigation into the company in our country...Muhtar Kent [Chair/CEO, The Coca-Cola Co.] denied before the Annual Shareholders Meeting, that they are under investigation for tax evasion...if the accusations of fraud held against Coca-Cola were found to be true, the company would lose a figure ranging in the billions... The present investigation arose in response to the complaint filed by ex-director of market development, Angel Alvarado..."

Locally, in New York City and Westchester County, Black and Latino workers, dubbed The Coke 16, are suing Coca-Cola for racial discrimination. As reported by the *Daily News* in 2012, the lawsuit describes the plants as "cesspools of racial discrimination."

At Coke's April 24, 2013 annual meeting, I raised the case of plaintiff [Sandra Walker](#) because of what happened at Coca-Cola's 2012 annual meeting:

Coke had flown five men from the New York plants to that annual meeting in Atlanta to refute charges of racial discrimination in their New York facilities. One of these men was accused in an EEOC complaint and in Ms. Walker's lawsuit as saying to Ms. Walker in front of her white

supervisors, “Black American women are not capable of washing themselves properly. They smell bad and their homes are nasty and filthy.”

Ms. Walker was suspended for five weeks, but found innocent of charges that she told a supervisor, “You’re a dead man,” after witnesses proved she told the supervisor, “You’re a racist.” Yet Sandra was never reimbursed for the five weeks lost pay.

I relayed the following message from Sandra Walker to Coke’s CEO, its board of directors and all in attendance, “I complained about recurring abuses. This led to me being interrogated by persons from Coke’s Human Resources Dept. in Atlanta. I was asked such irrational and obscene questions as, ‘Sandra, do you have any personal friends who are HIV positive?’ Then I was terminated.”

In the April 1-18, 2013 issue of *Street Hype*, an article, attached, entitled “CUNY Graduate Victim of Coca-Cola’s Discriminatory Employment Practices” describes how [Yvette Butler](#), a graduate of CUNY’s College of Technology, endured offensive racial comments and harassment on the job, as well as unfair and dangerous work assignments. Unjustly fired and with no income, this single mother lost her home and with her three children moved into a homeless shelter for 13 months. Like other victims of such abuse in Coca-Cola facilities, she still suffers from nightmares, depression and anxiety. Ms. Walker, Ms. Butler and many other victims would be willing to speak to investigators.

Coca-Cola’s CEO Muhtar Kent has done nothing but lie and deny to cover up what is happening at Coca-Cola facilities whether dealing with racial discrimination issues, cheating workers in Mexico, benefiting from illegal and hazardous child labor or violence against union leaders in Colombia and Guatemala.

Are public hearings scheduled so that faculty, students, Coca-Cola victims and concerned taxpayers who fund CUNY can address the issue of Coca-Cola putting its brand on the University? Once the public realizes that a company described as a “world full of lies, deception, immorality, corruption and widespread labor, human rights and environmental abuses” will have its bright red “Always Coca-Cola, Always CUNY” signage and bright red machines dispensing crime-ridden, unhealthy soft drinks throughout the University, a public outcry could ensue.

If CUNY administrators are seeking to allow a Coca-Cola monopoly on campus, it should make sure the process is fully transparent to the CUNY community and the public.

I hope that CUNY will take whatever steps are necessary to fully comply with all applicable procurement regulations so public confidence in CUNY administrators are not lost.

Sincerely,

Ray Rogers
Director
Corporate Campaign, Inc./Campaign to Stop Killer Coke
www.corporatecampaign.org/
www.killercoke.org/
www.StopCokeDiscrimination.org