

ASSOCIATED **AFPD**  
FOOD & PETROLEUM DEALERS, INC.

# FOOD & PETROLEUM REPORT

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Associated Food & Petroleum Dealers  
30415 W. 13 Mile Road  
Farmington Hills, MI 48334  
Change Service Requested

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# Why You Need Your AFPD Membership—Now More than Ever



**Chris ZEBARI**  
AFPD Chairman

I have been involved in the Associated Food and Petroleum Dealers (AFPD) for my entire professional career. Going back to the days when I worked in my father's stores, I always saw the value.

In fact, I sold memberships for this organization years ago and have served on its board for 20 years. I would say that I have a pretty good idea what this organization is about.

I am sometimes confronted by people in our industry who say they don't see the value in an association as unique as ours.

"There's strength in numbers" is a cliché, but it is a cliché that will always mean something. Going it alone versus the team approach? To me, that'll always be an easy choice.

## AFPD membership is an investment in your business, and an investment in your business is always a wise decision.

In AFPD you have every resource that you could ever ask for to help you run your business. Consider what would be the cost to your business for the following:

- Legal counsel
- Handling coupons
- Credit card processing
- Training
- Buying programs
- Lobbying
- Negotiating with vendors
- Scholarships for your children

And these are just some of the services that your association offers. The cost of these would run in the thousands of dollars. Few small businesses have such resources at their disposal (especially in the financially distressed times we find ourselves in today).

For \$250 a year, \$21 per month or 69 cents per day, you are covered as a small store. For \$500.00 a year, \$41.66 per month or \$1.37 per day, you are covered as a supermarket.

I don't mean to trivialize the cost of belonging to AFPD; your money is hard-earned. But AFPD membership is an investment in your business, and an investment in your business is always a wise decision.

Call us at AFPD and we will send out a membership services representative to visit you and share all of the details of the program that best fit your business needs.

### Congratulations, Graduates!

This time of year always moves me to want to share experiences with young people who are graduating from high school and college (and many of these individuals are being awarded scholarships by AFPD). I have a graduating high school senior myself this year, so it's extra special. Here are five things to guide you as you move to this next segment of your life:

- 1) If you are not willing to do something to your full potential then don't bother doing it at all.
- 2) Take risks—think about them first—but take them. Whatever the outcome, you will learn something.
- 3) Do the right thing. If you have to think really hard about whether a decision is the right one then it probably is not.
- 4) Dream on, Dream on, Dream on. Dream until your dreams come true!

### Welcoming a New Mayor

AFPD congratulates Detroit's new Mayor, Mr. Dave Bing. He is the city's third mayor in the last 9 months but appears to be in it for the next full term. We thank Ken Cockrel for the job he did as interim mayor and congratulate him on his return to city council as president. Mr. Cockrel was instrumental in building bridges with our Detroit members, and continues to do so. We look forward to a productive and open relationship with Mayor Bing's administration.



# Grocers Win

**The recession is sending consumers in search of easy, affordable meal solutions—a trend that is hurting restaurants but benefiting local grocers.**

**W**ith consumers cutting back on dining out, they are turning to their local grocer for high-quality, quick and easy meal solutions.

To be sure, the recession has impacted the entire grocery channel. According to the Food Marketing Institute's (FMI) U.S. Grocery Shopper Trends 2009, the effect on food consumption and shopping is tremendous — presenting both challenges and opportunities for the industry.

Up significantly from 48 percent in 2008, about 69 percent of shoppers say that the recession is affecting their grocery shopping. Shopper reactions differ, but often boil down to these distinct trends:

1. Saving money on eating out—grocers fill the void. 55 percent of shoppers now spend less money on dining out than they did one year ago, according to the FMI report. For one, people are simply eating out less (69 percent). Additionally, 50 percent are eating out in less expensive places.

Although shoppers use a variety of strategies to save money when eating out (ranging from coupons and skipping appetizers to ordering water and ordering the dinner special), many are simply turning to their local grocer in search of easy meal solutions at restaurant quality. Demand for meal solutions among these shoppers is up as they continue to be pressed for time, while looking for ways to save money.

2. Money-saving measures at their current store. On the other hand, some shoppers are trading down, substituting, and eliminating in efforts to save money on groceries, found the FMI report. Pre-trip,



shoppers spent a lot more time browsing grocery flyers, clipping coupons, researching deals and developing their grocery lists. In-store, they compare unit prices, locate sales specials, and resist impulse purchases and luxury goods.

The report found that the most popular in-store money-saving measure is the purchasing of private brand products: 66 percent of shoppers now purchase private label on a regular basis.

The recession accelerated the adoption of private-label foods among the higher-income shoppers. This trend is likely here to stay as one-quarter of shoppers expect they will purchase more private brands one year from now, stated the report. Mid-and-low income shoppers are especially likely to combine a number of these money-saving measures.

3. Switching primary grocery stores. Shoppers tend to have a great loyalty to their primary store, and it is not surprising that the FMI report found only six percent have switched primary stores out of money-saving considerations. However, the same cannot be said about the secondary store or quick trip: 45 percent of people occasionally stop in at other stores or formats to capitalize on sales specials.



## New Data: Consumers Pushed toward Grocery Stores

Recent government data sheds some light on the results of FMI's U.S. Grocery Shopper Trends 2009. The latest Consumer Price Index (CPI) from the federal government showed that price inflation rose faster for food away from home as compared with food at home, a trend that could push more consumers away from restaurants and toward grocery stores.

Recently released data from the U.S. Department of Labor showed that the general CPI remained unchanged in April when compared with March, and fell 0.7 percent when compared to April a year ago. The CPI is a measure of the average change in prices of goods and services purchased by U.S. households.

For food at home, which can generally equate to grocery store prices, the year-over-year change in prices increased 2.3 percent in April. For food away from home, which generally equates to restaurants, the changes in prices rose 4.6 percent in April, versus a year ago.

In a recent report in Nation's Restaurant News, Jeff Omohundro of Wachovia Capital Markets, said, "In our view, the recent reversal in grocery store versus restaurant inflation could enhance consumers' affordability perception of eating at home versus dining out."

Omohundro told the magazine that the April CPI report was the first time since February 2007 that prices for food-at-home inflation fell "meaningfully below" food-away-from-home inflation. Until April, price inflation for food at home and food away from home had been similar.

*Continued on next page*

*The recent reversal in grocery store versus restaurant inflation could enhance consumers' affordability perception of eating at home versus dining out.*

The growth in the CPI for food at home was 5.7 percent in January, 4.8 percent in February and 4.2 percent in March. The CPI for food away from home was 4.9 percent, 4.8 percent, and 4.6 percent, respectively. Omohundro noted.

**Weekly Spending Holds Steady**

With shoppers' increased focus on saving money, weekly spending has remained roughly the same compared with last year at \$98.40, despite the increase in home-cooking, said the FMI report. Weekly trips remained low at 2.0 visits, up slightly from 1.9 in 2008.

Anne-Marie Roerink, director of research for the Food Marketing Institute, says price has become shoppers' primary means of comparison. When asked for just one overriding factor, 37 percent point at "low prices," followed by great product variety (13 percent), and a convenient location (nine percent).

"This increased focus on price and value is playing out in channel selection and causing further erosion of the supermarket share," says Roerink.

Down from 60 percent in 2009, 56 percent of shoppers in this year's survey identified a full-service supermarket as the store where they spent the majority of their grocery budget. Supercenters, while trailing far behind, gained ground again and captured 27 percent of the market.

**Key: Connect with Shoppers**

So what does this all mean for the balance of 2009? Roerink maintains that based on the results of the U.S. Grocery Shopper Trends 2009 report, shoppers are making major changes in their attitudes and purchase patterns. "Many of these changes appear to be quite durable and not likely to be abandoned quickly—even after the economy improves," she notes.

However, this offers important new opportunities for those able to respond quickly and connect with their own shoppers in innovative new ways, she adds. "Retailers who accomplish this will build a sustainable competitive advantage that will serve them well for years to come," says Roerink.

**Downturn Leads to Growth in Store-Brand Groceries**

A new consumer sentiment survey (from Technomic) reveals that consumers continue to remain highly concerned about the U.S. economy, their personal financial situation, and job security. In addition, 51 percent of consumers believe the economy will worsen this year, and only 26 percent think it will improve.

The researchers also noted a jump in the recognition of the need to save more and spend less – 87 percent now say that is their intention versus 74 percent in December 2008.

As a result, leading consultants believe the food industry will feel the effects of the prevailing pessimism.

Bob Goldin, executive vice president of Technomic, a Chicago-based research firm, notes that "consumers express a strong desire to economize. This is apparent

in the large number who plan to scale back visits to high-priced restaurants and coffee shops, reduce spending at restaurants and other retail venues, increase purchases of store-brand groceries, make more meals at home, use coupons, and take advantage of discounts and deals."



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- Company spokesmen to address those in attendance

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## Calendar

July 15, 2009

AFPD Annual Michigan Golf Open  
Fox Hills Golf Club  
Plymouth, MI  
Contact: Auday Arabo  
1-800-666-6233

July 23, 2009

AFPD/Liberty USA Golf Outing  
Weymouth Golf Club  
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August 6, 2009

Joseph D. Sarafa Annual  
Scholarship Luncheon  
Detroit Athletic Club  
Detroit, MI  
Contact: Auday Arabo  
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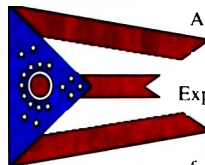
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AFPD works closely with the following associations.



3rd Annual Ohio Food & Petroleum Trade Show:

# Still Growing Even in a Tough Year



AFPD's 3rd Annual Ohio Food & Petroleum Show, held May 7th at the International Exposition Center in Cleveland, featured more than 60 exhibitors and more than 200 attendees from Ohio and surrounding areas.

One of AFPD's "younger" trade shows, the Ohio Food & Petroleum Trade Show delivers the products and services sought by owners and managers of convenience stores, supermarkets, service station, specialty stores, bars, restaurants, and drug stores in Ohio. The show is similar to AFPD's Annual Michigan Food & Petroleum Trade Show, which is held in the Metro Detroit area each spring. However, offerings at the Ohio show also included exhibitors that are specific to the Ohio market.

"Simply put, the exhibitors in our Ohio Food & Petroleum Trade Show know and understand what retailers want and need to stay competitive in the Buckeye state," stated AFPD President Jane Shallal.

Here are some highlights of what exhibitors were buzzing about:

• **Dairymens.** Jim Evans, a member of the sales team at Dairymens, said the Ohio Food & Petroleum Trade Show was a big success for his company because they made a lot of sales. "We made it a buying show, and that's what drew people to our booth. Even in a tough economic year, if you have a good product and you can convince people that they can save money if they buy at the show, then that's what they'll do."

• **Frank Gates Insurance.** The team at Frank Gates Insurance, which offers an AFPD-endorsed workers' compensation program for AFPD members, says any employee of an AFPD member company in Ohio can use their safety services. As long as your company is paying into the workers' comp program, Frank Gates can offer your company safety assessments, feedback on worker's comp claims, as well as information on industrial hygiene and ergonomics. Frank Gates has a training facility in Columbus and other towns, and these programs are funded through the workers' comp premium.

• **Liberty USA.** Another AFPD-endorsed program provider, Liberty USA's Gary McGuirk Jr., president, said his company is predicting a national reduction in cigarette consumption of approximately seven to ten percent and many consumers trading down from premium brands to generic brands.

"Liberty USA strongly believes that in an industry this

competitive and in a time this difficult, it is imperative for an independent retail convenience store to be a part of a buying group like AFPD and to be partnered with a distributor that can help them build their business and increase the amount of foot traffic in their stores," added McGuirk. "Pricing is important, but at the end of the day, a long-term,

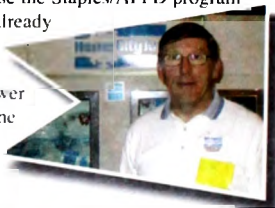
positive, win-win partnership between a c-store and its supplier is vital to success. AFPD is strongly positioned to help independent retailers and small chains remain viable in this tough market. With the endorsed program, Liberty USA and AFPD together can offer a number of successful, proven programs to assist retailers, grow sales, and ultimately profits."

• **North Pointe Insurance.** An AFPD-endorsed program, North Pointe specializes in underground storage tank insurance (USTI) for AFPD members and much more. AFPD members are guaranteed to save money on the North Pointe Insurance program. For more information on North Pointe Insurance, see the Supplier Spotlight, p. 18.

• **Staples Business Advantage.** The Ohio Food & Petroleum Trade Show resulted in at least 50 new members registering for the Staples Business Advantage Program, confirmed Michele VanDevelder, district sales manager for Staples.

"They were most excited to find out how easily they can order online or over the phone to receive free next-day delivery instead of making trips to local stores for these supplies, which is a huge time saver," said VanDevelder. "One store owner even placed an order for their fax machine cartridge at the show, saving them the hassle of having to stop at a store on their way home."

"The members loved sampling some of our Staples Brand basic office supply products," she continued, "and finding out that they can use the Staples/AFPD program for other services they're already purchasing, such as their custom print, digital copy, and janitorial supplies. Lower prices in addition to the time being saved is a win-win."



Home City Ice provided the ice that kept the Ohio Show cool.

**Companies interested in reserving booth space for the 2010 Ohio Food & Petroleum Trade Show, please call AFPD's Auday Arabo at (800) 666-6233 or email him at Aarabo@AFPDonline.org.**

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# Petroleum News & Views

Information of Interest to Petroleum Retailers, and Allied Trades

## New Working Group Develops Biofuels Market Development Program

With the heads of the Department of Agriculture, Department of Energy, and the Environmental Protection Agency (EPA), the Obama administration announced the creation of the Biofuels Interagency Working Group, an inter-agency body that will forge a plan to encourage the production of more automobiles that can run on high-level ethanol blends, and increase the availability of high-level ethanol blends at gas stations.

The group's goal is to increase production of and investment in biofuel development efforts by refinancing existing investments in renewable fuels to preserve jobs in ethanol and biodiesel plants, renewable electricity generation plants, and other supporting industries and by making renewable energy financing opportunities from the Food, Conservation & Energy Act of 2008 available within 30 days. These opportunities include:

- Loan guarantees for the development, construction, and retrofitting of commercial scale biorefineries and grants for demonstration-scale biorefineries.
- Expedited funding to encourage biorefineries to replace the use of fossil fuels in plant operations by installing new biomass energy systems or producing new energy from renewable biomass.
- Expedited funding to biofuels producers to encourage production of next-generation biofuels from biomass and other non-corn feedstocks.
- Expansion of the Rural Energy for America Program, to include hydroelectric source technologies, energy audits, and higher loan guarantee limits.
- Guidance and support for collection, harvest, storage, and transportation assistance for eligible materials for use in biomass conversion facilities.

The Biofuels Interagency Working Group will develop the nation's first comprehensive biofuels market development program, according to government officials.

The group will also work to develop policies to increase flexible-fuel vehicle (FFV) production and assist in retail marketing efforts.

## Gasoline and Diesel Fuel Prices Expected to Stay Below Summer 2008 Levels

The crossing of the price paths for gasoline and diesel was once a regular rite of spring: Gasoline prices rising for the high-demand summer driving season, while distillate fuel prices, including diesel and heating oil, falling from their highs during winter months.

However, diesel and gasoline prices have been converging throughout the first part of 2009. At the end of December 2008, gasoline prices bottomed at \$1.61, the lowest price in nearly five years. Between the end of 2008 and the first week in May, crude oil prices rose about \$16 per barrel, or 38 cents per gallon. Since wholesale gasoline prices were near or even below the price of some crude oils at the end of 2008, gasoline prices were expected to increase more than crude oil prices.

Although crude oil prices are likely to remain a major influence over gasoline prices this summer, the seasonal increase in gasoline demand during the peak driving season, on top of potential underlying demand recovery, appears to be influencing the price at the pump. At the same time, strong supply availability from refiners now running at low utilizations in both Europe and the U.S. is likely to moderate gasoline price increases this summer.

In any case, both gasoline and diesel fuel prices will likely stay well below their summer 2008 levels, making this year's spring transition less dramatic than the last.

## Don't Fear Change—Enjoy the Results

By Ed Weglarz

Here's a major part of the challenge facing all independent retailers today: Are you going to be the "last of the old" or "the first of the new"? Here are some problem-solving techniques to implement so you can be the "first of the new":

### 1. Consider all problems as temporary.

You might have a problem right now, but "right now" is just a moment in time that soon will be gone forever. Your problem is really just a starting point of a journey that will lead to a solution of your problem. What matters is where you end up, and that is going to be somewhere better.

It might take a while to solve the problem, but you will start to feel better as soon as you begin working toward a solution. You need to find happiness in tackling a problem. Break the "victim mentality" – a sure path to unhappiness – and put yourself back in control of the situation. Remember, somebody is in control of every transaction, which needs to be you.

2. Don't face problems alone. Life, and especially small business, seems like a solo sport, but find a coach, spouse, fellow entrepreneur, or friend with whom you can share your problem. It will make your attempts to



**Ed WEGLARZ**  
AFPD Executive Vice President,  
Petroleum

solve problems more enjoyable and more successful. Humans are not designed to face problems alone, so don't try it.

3. Find strength in challenges. We cannot completely control the events around us, but we can control how we respond to them! It's this choice of response that defines us.

### 4. Do not delay difficult

conversations (or decisions). While your first inclination when someone does something that irks you is to bite your lip and remain quietly unhappy, this attitude usually only prolongs your displeasure. As

much as you might dislike confrontations, they are often the quickest path back to

happiness. The anxiety of delay is often more painful than quickly facing the issue.

5. Fight for change. The world changes. We change. The only way to remain happy is to embrace change, confront it, and enjoy it. Take pleasure in meeting new challenges and take pleasure in the surprises that lie around the next corner. The changes that we fear often make our lives much better in the end.

Are you ready now to be "the first of the new"? Review all the new programs that AFPD now has to offer. Don't delay. Make changes, and enjoy the results.

**Humans are not designed to face problems alone, so don't try it.**

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## Credit Card Bill Stipulates Rules for Gift Cards and Certificates

On May 22nd, President Obama signed the Credit Card Accountability, Responsibility, and Disclosure (CARD) Act of 2009, in an effort to end the days of unfair rate hikes and hidden fees for consumers.

The bill has one provision of interest to any business that offers gift cards or gift certificates. It limits fees on prepaid cards, gift certificates, and stored value cards by calling for greater disclosure on fees. The bill also restricts inactivity fees unless the card has been inactive for at least 12 months. Effective August 22, 2010, inactivity fees and service fees for gift cards and gift certificates will generally be prohibited, and the ability to impose expiration dates for these items will be limited.

In general, it is now unlawful for any business or person to impose a dormancy fee, an inactivity charge or fee, or a service fee with respect to a gift certificate, store gift card, or general-use prepaid card.

There are noted exceptions. According to the law's language, a dormancy fee, inactivity charge or fee, or service fee may be charged with respect to a gift certificate, store gift card, or general-use prepaid card, if:

- (A) There has been no activity with respect to the certificate or card in the 12-month period ending on the date on which the charge or fee is imposed;
- (B) Proper disclosure requirements have been met; and
- (C) Not more than one fee is charged in any given month.

The disclosure requirements are met if the gift certificate, store gift card, or general-use prepaid card clearly and conspicuously states:

- That a dormancy fee, inactivity charge or fee, or service fee may be charged;
- The amount of such fee or charge;
- How often such fee or charge may be assessed; and
- That such fee or charge may be assessed for inactivity.

In addition, the issuer or vendor of such certificate or card must inform the purchaser of such charge or fee before the certificate or card is purchased, regardless of whether the certificate or card is purchased in person, over the Internet, or by telephone.

Finally, the act specifies that it is unlawful for any person to sell or issue a gift certificate, store gift card, or general-use prepaid card that is subject to an expiration date.

Exceptions are if the expiration date is not earlier than 5 years after the date on which the gift certificate was issued, or the date on which card funds were last loaded to a store gift card or general-use prepaid card; and the terms of expiration are clearly and conspicuously stated.

Violators of this statute can be sub-

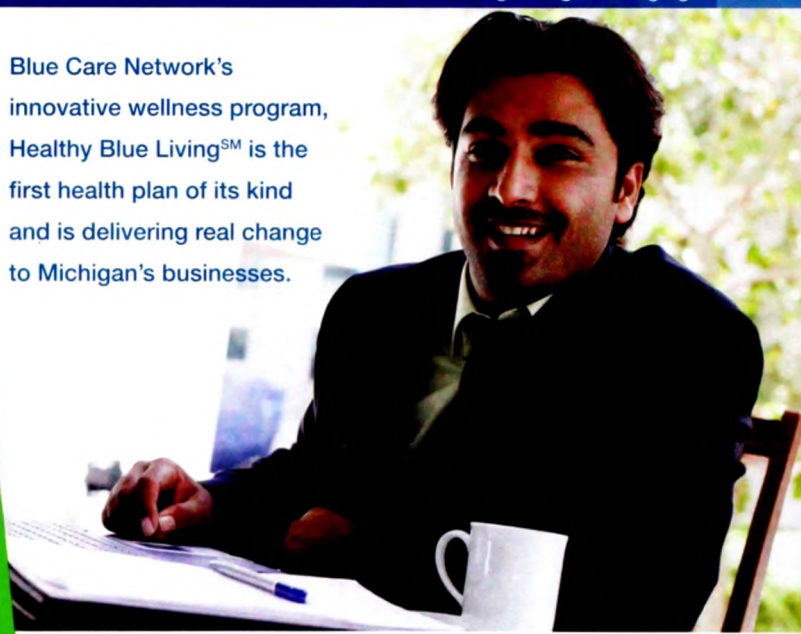
ject to enforcement by the Federal Trade Commission, private litigation, criminal prosecution, civil fines of up to \$1,000 per violation and up to \$500,000 or one percent of net worth in class action suits.

It is important to note that more details on the restrictions and compliance obligations will be provided

in regulations to be published by the Federal Reserve Board in February 2010. In addition, the federal law gives states the ability to impose even stricter requirements, so retailers should check their state's law to determine whether it imposes separate requirements on top of the new federal ones.

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# Like Summer, Instant Tickets are Heating Up



**M. Scott BOWEN**  
Michigan Lottery Commissioner

**T**his summer, the Lottery is introducing new Instant tickets that are sure to generate some big winners. The \$1,000,000 Sweepstakes promotion began on June 8 with the launch of three new instant

games: \$10 Instant Million; \$5 Instant 200 Grand; and \$2 Instant 20 Grand.

In addition to top cash prizes of up to \$1 million, non-winning tickets from all three games are eligible for entry into a sweepstakes for a second chance to win \$1 million. Any combination of non-winning tickets totaling \$20 is eligible for entry. From all entries, five finalists will be drawn to win \$10,000. From those five finalists, one lucky player will be chosen to win the \$1 million grand prize at a drawing in fall

2009. To enter, players must submit the non-winning tickets by mail or online at the Player City website, [www.playercity.net](http://www.playercity.net).

## New Instant Music Downloads

The \$2 Musical Money game launches on June 29 and features instant win music downloads for the first time on a Michigan Lottery gaming product.

Along with cash prizes, Musical Money offers approximately 320,000 instant win music download prizes ranging from five to 50 downloads. Winning players can win from nearly 2 million downloads in the EMI Music catalog. Music download winners must register and login to the EMI music download site in order to claim their prize.

Retailers should also be aware that music download prizes will not validate as a winner on the terminal. To redeem a download prize, players must register at [www.lottery-music.com/michigan](http://www.lottery-music.com/michigan) and enter the 8-digit

download code found in the Download Bonus play area of their winning ticket. Musical Money also features a second chance contest to win a VIP Concert Experience for two and merchandise autographed by an EMI artist.

## Win a Ford Mustang GT

Also arriving on June 29 is the \$2 Dream Cruise ticket. In addition to top cash prizes of \$25,000, this game includes a second chance contest to win a Michigan-made 2010 Ford Mustang GT.

To enter, players must submit three non-winning Dream Cruise Instant tickets, either through the mail or online at [www.playercity.net](http://www.playercity.net). On August 26, the Lottery will select three finalists to participate in the Grand Prize drawing. Two finalists will receive \$5,000 each and one lucky winner will be awarded the 2010 Mustang.

## A Tribute to Michigan Military Heroes

The Lottery is looking for help to honor Michigan Armed Forces members. Until July 22, members of the Lottery's VIP club, Player City, can submit an image of themselves, a family member or friend who currently serves or has served in the U.S. military, on the Player City website, [www.playercity.net](http://www.playercity.net). Members must include a short essay (100 words or less) that contains information on the person's military accomplishments.

From all the entries received via Player City, the Lottery will select up to 10 different heroes to be featured on a new Michigan Heroes instant ticket. It is an honor to pay tribute to some of our state's finest citizens through one of the Lottery's newest Instant tickets. Michigan's servicemen and women deserve to be recognized for their contributions and sacrifice.

The \$1 ticket, which is expected to go on sale this fall, will offer prizes ranging from \$1 to \$5,000.

## Update on The Jack

The Jack was introduced on June 1 and is already a resounding success. As an add-on game to Club Keno, The Jack gives players another opportunity to win every time they play Club Keno.

For just \$1 extra per draw, Club Keno players will mark the "YES" box in

**95 cents of every dollar spent on Lottery tickets is returned to the state of Michigan in the form of contributions to the state School Aid Fund, prizes to players and commissions to retailers. In fiscal year 2008, the contribution to schools was \$740.7 million. Since its inception in 1972, the Lottery has contributed more than \$15 billion to education in Michigan.**

Section 1 of the Club Keno play slip and will then fill in the remaining sections to complete their wager. Seven Easy Pick numbers from 1-49 will be printed on the bottom of the ticket. Players win The Jack when they match all seven of their numbers to the Club Keno winning number drawn.

The most unique feature of The Jack is that the prize is a progressive jackpot. It starts at \$2,000 and increases after each draw until the jackpot is won. The more players get into the game, the faster the jackpot grows. The jackpot could reach \$20,000 and higher daily! The Jack grows until someone matches all seven numbers and wins.

When a lucky player matches all seven numbers to win the jackpot, The Jack prize will revert back to \$2,000. Should multiple players win The Jack on a single draw, the prize will be split evenly among the winners.

## New Instant Tickets

In addition to those already highlighted, other instant tickets arriving in July include Win, Place or Show for \$1; Lucky Jar Bingo for \$2; Wheel Time Mania for \$5; and \$2,000,000 Club for \$20. The tickets are scheduled to be available on July 20th. The release date is subject to change.

For additional information, please visit the Lottery's website at [www.michigan.gov/lottery](http://www.michigan.gov/lottery).

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**RAFFLE DRAWING ON OR AFTER SEPTEMBER 16, 2009**

**MICHIGAN LOTTERY**

If all tickets are not sold by September 16, 2009, the drawing may be held as a future date sell by the same amount. Odds of winning: \$700 (x) 1 in 500 (0%) - \$75,000; 1 in 85,000 (\$750); 1 in 50K; \$100; 1 in 50. Overall odds: 1 in 50. If you had more than one, you afford to lose, you've got a problem. Call 1-800-270-7412 for more information.



## Two Major Dairy Groups Oppose Federal Tax on Flavored Milk

No surprise, the International Dairy Foods Association and the National Milk Producers Federation aren't happy about a suggested federal excise tax on flavored milk drinks that contain sugar-based sweeteners.

Connie Tipton, president and CEO of the International Dairy Foods Association, and Jerry Kozak, president and CEO at the National Milk Producers



Federation, said flavored milk, such as chocolate and strawberry, is part of the solution to the child obesity problem,

not a cause, and its consumption needs to be encouraged among kids, not discouraged by a new tax.

A tax on sugar-sweetened beverages including flavored milk, was included in a list of revenue options recently by Senators Max Baucus (D-MT) and Charles Grassley (R-IA), chairman and ranking Republican, respectively, on the Senate Finance Committee. While no rate was specified, a tax of three cents per 12 ounces could raise as much as \$50 billion over 10 years, according to a congressional estimate.

"Milk is a nutrient-rich beverage that is good for kids," said Tipton. "We need to encourage them to drink more and it's no secret kids love flavored milk. Processors have developed low-fat flavored milk options that don't have excessive calories, but switching to no-calorie sweeteners has proved problematic. Still, flavored milk is an excellent way to increase milk consumption and make children's diets more nutritious."

According to the 2005 Dietary Guidelines for Americans, adding a small amount of sugar to nutrient-rich foods such as reduced-fat milk enhances their appeal and improves diet without adding excessive calories. Likewise, Tipton and Kozak said the American Academy of Pediatrics encourages consumption of low-fat or fat-free milk, including flavored milk, as an alternative to soft drinks.

Kozak said it is bad nutrition policy and bad tax policy to lump milk in with other beverages because it would discourage consumption of a product that is good for kids.

### State Services Suffer as Lottery Players Hold Out

A recent Ipsos survey conducted among lottery players indicated that 46 percent have reduced their lottery spending, with 38 percent admitting to spending less on lottery games and 8 percent cutting them out entirely.

This coping strategy mirrors that of the general U.S. population as a whole. When it comes to spending less or cutting out purchases of non-essential low cost items, Americans have reduced spending on items such as:

- Snack foods (42 percent)
- Video/DVD rentals (41 percent)
- Going to the movies (51 percent)
- Eating out (49 percent)
- Buying books or magazines (39 percent)



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## Study Says CPG Industry Resilient in Current Economy

The consumer packaged goods (CPG) industry performed considerably better than the rest of the market in 2008, as measured by the S&P 500 and Dow Jones Industrial Averages, outpacing both by at least 10 points, according to a report by the Grocery Manufacturers Association (GMA) and PricewaterhouseCoopers LLP (PwC). The study additionally found that CPG manufacturer median sales increased 10 percent last year, down just slightly from 2007 median sales figures.

Compiled from research, interviews and financial data on 157 companies in the food, beverage and consumer products sector, "The 2009 Financial Performance Report: Focusing on Today, Envisioning Tomorrow" is the latest annual industry report from GMA and PwC.

GMA president and CEO Pamela Bailey said that the industry's performance is testimony to the fact that CPG companies are giving consumers the quality products they need at an affordable price.



## Shell Launches Summer Credit Card with Better Incentives than Last Year

Shell is starting off its summer private label credit card push with a 30 cents/gallon discount for new card customers. The offer is capped at a 100-gallon purchase, and payment is made through a \$30 statement credit after the purchases are complete.

In a response to current economic conditions, the 30 cents discount is five cents better than last year's offer. The credit card discount strategy seems to work; last summer's campaign brought in more than 42,000 new accounts for a total of approximately 4.3 million active private label accounts.

Applicants must be approved by Shell's card issuer within 90 days of the promotion, which runs June 29 to Sept. 30.

**Michigan Department of Agriculture's Weights and Measures.** AFPD met with representatives of the Michigan Department of Agriculture's Weights and Measures to discuss price verification in stores and issues relating to weights and measures at grocery stores and service stations.

- **AFPD Exposure to Detroit and County Leaders.** AFPD's president Jane Shallal appeared as one of four panel members before New Detroit Board and various other metro county leaders to discuss Detroit stores, food access, and diversity in the industry.
- **Liquor Order and Delivery Issues.** AFPD met with members of the Michigan Liquor Control Commission (MLCC) and various representatives in the beverage and spirits industry to discuss and resolve order and delivery issues.
- **8 Mile Road Boulevard Association.** AFPD representatives attended an 8 Mile Road Boulevard Association panel discussion. Panel participants were leaders from Wayne, Oakland, and Macomb County, along with the mayor of Detroit.
- **TIPS Classes.** AFPD conducted TIPS classes, training 26 new students.

## MICHIGAN UPDATES

- **Select Michigan Program.** AFPD is a member of the Strategic Planning Team for the Michigan Department of Agriculture Select Michigan Program and has been working on a strategic plan for Select Michigan.
- **TV Interview.** AFPD's Ed Weglarz appeared in a Channel 4 (WDIV) interview to discuss the increase in fuel prices and AFPD's opinion on the reasons for the increases.
- **Transportation Legislation.** AFPD reviewed Michigan proposed transportation legislation with AFPD's Lansing lobbyist.
- **Credit Card Fair Fee Act.** Within the last few weeks, two similar bills were introduced into the U.S. House that address this issue: HR 2382 and HR 2695.
- **Quality Control.** AFPD conducted 19 Quality Control evaluations of AFPD stores.
- **DPS Alert Network.** AFPD participated in the Detroit Police Department press conference announcing the DPS Alert Network. This network allows the Detroit Police Department to instantly update AFPD about crimes, emergencies, and other important information via text messaging.

## OHIO UPDATES

- **BUSTR Rules Amendments.** AFPD participated in a meeting with Ohio Petroleum Marketers Association (OPMCA) and other interested parties to discuss proposed amendments to the Ohio Bureau of Underground Storage Tank Rules (BUSTR).
- **Petroleum Advisory Board.** AFPD held a Petroleum Advisory Board meeting in Toledo, Ohio where various issues concerning Ohio retailers were addressed.
- **Commercial Activity Tax.** Grocer and Contractor's Lawsuit is being monitored for any action on this issue. Currently, the State of Ohio is appealing the decision to the Ohio Supreme Court.
- **Commercial Activity Tax (Penalties).** Legislation to impose civil and monetary penalties for listing the CAT tax on invoices has been included in the budget bill and is being moved through the process.
- **Ohio Lottery Sales Commission Increase.** AFPD sent a letter to the Ohio Lottery Commission requesting a meeting and consideration of an increase in the commissions paid to lottery agents.
- **Ohio Workers' Compensation Group Rating.** The Bureau seems to maintain an aversion to Group Rated programs and continues to work towards reducing Group Rated discounts. AFPD is working closely with Avizen/Frank Gates and our Ohio lobbyists regarding the issues under consideration and to determine a course of action we can employ to protect the Group Rating discounts for our participating members.
- **Fuel Quality Testing.** AFPD advocated for monitoring to be conducted under the direction of the Ohio Department of Agriculture. The Department of Agriculture wants jurisdiction over fuel quality testing, which will be funded by "stimulus money" for the next two years. AFPD is monitoring this legislation to ensure that the Department of Agriculture rules pre-empt any and all county or local regulations, so that the retailers aren't caught between conflicting regulations.
- **Motorists' Right-To-Repair Act.** Legislation has been introduced in the U.S. House under HR 2057. This legislation takes on added importance for AFPD members with the closing of OEM dealerships across the country.
- **Automatic Temperature Compensation.** This issue is losing momentum as more and more unbiased scientific studies are concluding that the concept is insignificant. AFPD will continue to monitor any activity on this issue.
- **Retail Cigarette License Fee Increase.** The Ohio budget proposal includes an increase in the annual cigarette license fee from \$30 to \$125, along with an increase in the annual license fee to sell other tobacco products from \$100 to \$1,000. Another provision would apply the license per entity rather than per location, which would give the multi-site operators (Speedway, Brulish Petroleum, GetGo, Circle K, Kroger, and company-operated chains) a distinct advantage over the small, independent retailers. AFPD will be addressing these issues.

# U.S. House and Senate Re-Introduce Credit Card Fair Fee

The U.S. House Judiciary Committee Chairman John Conyers (D-MI) introduced the Credit Card Fair Fee Act of 2009 (HR 2695), cosponsored with Representative Bill Shuster (R-PA). The legislation is similar to what Chairman Conyers introduced last year with then-Representative Chris Cannon (R-UT) to curb excessive interchange fees.

The act aims to address the more than \$48 billion that consumers pay in credit card swipe fees every year. Called "interchange fees" by the big banks that set these rates, credit card swipe fees are a percentage of each transaction that Visa and MasterCard and their member banks collect from retailers every time a credit or debit card is used. These fees average about two percent in the United States, the highest rate in the industrialized world.

Senate Majority Whip Richard Durbin (D-IL) also introduced a similar bill in the senate (S. 1212). "Senator Durbin's introduction of this bill, following the introduction of similar legislation in the House of Representatives, is further proof that Congress is fed up with the shell game being played by the credit card companies," said NACS Chairman Sonja Hubbard, CEO of Texarkana,

Texas-based E-Z Mart Stores. "Congress has already addressed outrageous lending fees and policies directly targeting consumers, and it is vital that it also address those secret



fees and policies that affect merchants and their customers."

The act would allow retailers to negotiate fees with credit card companies in an accountable and transparent setting. The bill would provide a mechanism for merchants to balance the market power of Visa and MasterCard and ensure a competitive market-based outcome to determine interchange fees. It would allow merchants to negotiate interchange fees with Visa and MasterCard and the issuing banks as a group.

Visa and MasterCard would also be

permitted to negotiate separately with individual merchants or groups of merchants and those agreements would be made public and filed with the Attorney General. If the parties fail to reach a negotiated agreement, the Attorney General would monitor the process and recommend to the House and Senate Judiciary Committees how Congress should respond to the conduct of the negotiations.

A related bill, the Credit Card Interchange Fees Act (HR 2382), was introduced several weeks ago by Representatives Peter Welch (D-VT) and Bill Shuster. The Welch-Shuster bill would eliminate anticompetitive contract rules, such as the Honor All Cards rule that Visa and MasterCard impose on the merchants who accept their cards and require disclosure of interchange fees to the FTC, Federal Reserve, and consumers.

In 2008, credit card fees cost U.S. convenience stores \$8.4 billion — compared to only \$5.2 billion in store profits, according to NACS data. Almost all of these credit card fees are attributable to credit card swipe fees.

Retailer associations across the country continue to urge legislators to pass language that will give retailer groups the opportunity to negotiate interchange fees in a transparent environment.

"Senator Durbin's introduction of this bill following the introduction of similar legislation in the House of Representatives is further proof that Congress is fed up with the shell game being played by the credit card companies."

—NACS Chairman Sonja Hubbard

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# Insured to Succeed

**Local AFPD member company finds success in its own backyard.**

By Patricia E. Steding

**W**hen it comes to his customer base, North Pointe Insurance Vice President Richard Fiato goes big and goes home.

The Southfield Michigan-based property and casualty insurance company finds most of its customers right in its own backyard – and keeps them by catering to their individual needs. Fiato explains that the company has a simple strategy for growing its clientele: to bend over backwards for local customers and stay involved with what's going on in their industries.

"The centerpiece of our strategy is to support local businesses," says Fiato. "I try to locate underserved clients and niche markets locally and then go the full nine yards to serve their needs. I also frequently offer special volume discount rates and multiple-line insurance deals intended to help my customers weather tough economic times."

Started in 1987, North Pointe Insurance is the state's largest writer of

liquor liability insurance. The company also offers a wide variety of insurance coverage types, including property, general liability, liquor liability, and workers' compensation insurance. (The workers' compensation insur-

sluggish economy, his company has managed to stay profitable – mostly by staying in touch with what issues customers are facing.

"These days, it seems like everyone is feeling the crunch," says Fiato.



**"I stay involved with AFPD so that I can stay current with what is going on with my customers."**

—Richard Fiato, Vice President, North Pointe Insurance

ance is a new offering.) Customers are comprised mostly of bars, restaurants, supermarkets, c-stores, petroleum dealers and bowling centers, which are located mostly throughout Michigan and Ohio, but also in Jacksonville, Fla., where the company's second office is located.

Fiato, who has been with the company for 10 years, says that although everyone is feeling the effects of the

"But if they are staying in business, they still need insurance."

To cater to companies who are staying in business, Fiato is constantly re-evaluating package deals and volume discounts to provide customers with their insurance needs at an affordable price. Fiato adds that he stays involved with AFPD so that he can stay current with what is going on with his customers, and supports

efforts through the association that are geared toward making his customers more profitable.

"We have been involved with the AFPD for 17 years," says Fiato. "We continue, over the years, to support the association by maintaining a presence at all of its events and trade shows. Like AFPD, we really care about local businesses," Fiato adds. "In turn, AFPD has been eager to support us as well."

Fiato adds that he is proud to be involved with an association with a "home grown" philosophy with which he can align his company.

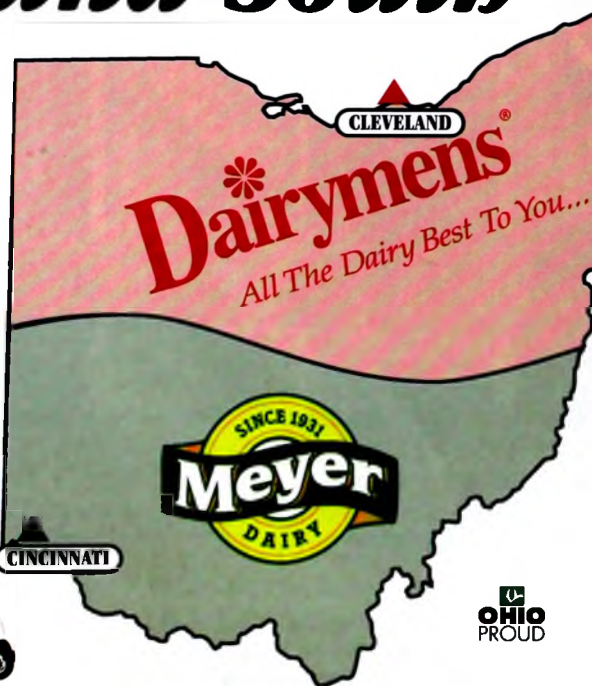
"Through AFPD, we stay involved," Fiato says. "And like AFPD, we keep frequent communication – and we keep it honest and open. We also, like the AFPD, try to maintain a family-like atmosphere that we extend to one another as well as our customers."

Patricia E. Steding is a contributing writer to AFPD Food & Petroleum Report.

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## FDA Backs Proposal for U.S. Industry Fees to Fund Food Inspections

A contentious proposal to compel U.S. food manufacturers to contribute toward safety inspection costs took a step forward after the Food and Drug Administration signaled it was backing the idea.

Newly appointed FDA commissioner Dr. Margaret Hamburg said she supported a proposal made in the Democrat-sponsored bill for companies

to pay \$1,000 per facility to fund safety checks by the agency. Under the proposals, the FDA would be required to inspect every food facility in the country at least once every four years, with high-risk ones being inspected every 18 months. It is estimated the charge, which would be used to boost the number of plant inspections, would raise \$378 million annually.

Representative Henry Waxman, chairman of the full House Energy and Commerce committee and one of the proponents of the bill, said the fees were needed to help the cash-starved FDA carry out its duties. Hamburg said that even implementing the fee system would not be enough to make up the FDA's funding shortfall but labeled the proposals as a step

in the right direction. Industry bodies and Republican politicians were quick to protest against the proposed tariffs citing concerns the cash could be used for FD programs unconnected with food safety.



### Flavored Dasani Waters Hit the Shelves

Unsweetened flavored water beverages are growing faster than any other segment in the \$12 billion U.S. bottled water category, with more than 30 percent growth in the last two years. According to a 2007 study, many consumers prefer lightly flavored waters with little or no sweetener.

To appeal to these preferences, Coca-Cola North America Water Brands is now offering flavored Dasani Water in three varieties: Lime essence, Strawberry Kiwi essence, and Black Cherry essence.

Packaged in stylish, recyclable 18.2-oz. single PET bottles and 16-oz. 4-packs, Dasani essence is available from retailers nationally.

### Food Safety Group Launches Online Resource Site

An online food safety information site for consumers and those working in the area has been set up by the White House Food Safety Working Group.

The group, led by Agriculture Secretary Tom Vilsack and Health and Human Services Secretary Kathleen Sebelius, was set up by the Obama administration to assess the workings of the food safety network, following Obama's promise of a "complete overhaul" of the FDA early this year.

The USDA said that comprehensive improvement of the national food safety network will link regulatory actions with public health outcomes.

The new site will contain information on the group's activities and progress. It can be accessed at [www.foodsafety-workinggroup.gov](http://www.foodsafety-workinggroup.gov).

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## Your Store Could be Next Up for a COOL Compliance Review

USDA representatives recently briefed retailer and wholesaler companies at a meeting on the compliance rules for Country of Origin Labeling (COOL) and future enforcement efforts by state agencies.

Between now and November, the 50 state enforcement agencies will conduct 5,000 store reviews and 200 supplier audits. Officials conducting the compliance review will:

- Introduce themselves to store management.
- Hold an opening meeting, review product and records for compliance.
- Provide a checklist to retailers in a closing meeting.
- Submit the report to USDA after the review meeting.

If warranted, the USDA will then send a non-compliance notification letter to the retailer. A retailer will have 30 days to respond to the non-compliance notification letter by indicating the corrective and preventative action that will be taken to correct the areas of non-compliance.

Retailers will only be subject to fines for willful violations that include failure to respond to USDA within the 30 days, or to continued willful violation of the regulations.

USDA estimates that there are 36,000 stores in its database, so approximately one out of every seven stores will be inspected for COOL compliance in the next six months.

For companies with multiple store locations, you can register a single "corporate contact" with USDA. If you would like to take advantage of this option, please send an email to [cool@ams.usda.gov](mailto:cool@ams.usda.gov) with the following information: (1) company name; (2) your name, title and complete contact information; and (3) a statement that you have been authorized by your company to serve as the corporate representative for purposes of USDA's country of origin labeling compliance program.



**Over the next  
six months,  
approximately  
one out of  
every seven  
stores will be  
inspected for  
COOL  
compliance.**



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As an example, if you have been a loyal AFPD Member for 20 years or more, you will receive a total of 30% discount on your Liquor Liability Premium!

To sign up for this program today, call your insurance agent or call North Pointe Insurance at 1-800-229-6742.

Members with Questions Call: Auday Arabo at the AFPD Office at 1-800-666-6233.

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This is such great program, that AFPD will guarantee that North Pointe Insurance will meet or beat your current Liquor Liability Premium or we will give you a one year **FREE Membership to AFPD!**

## Classified

**FOR SALE**—Toledo automatic meat wrapper in excellent condition sold due to lack of space in meat dept. Complete with extra printer and assembly. Wrapper is from 2000 or 2003. Call Munim Yono at 248-722-9111 or will trade for a smaller version.

**STATION FOR SALE**—Located on the east side of Columbus, OH. Retail gas service and convenience store business with C-1/C-2 liquor licence and real estate. Serious and confidential inquiries only. Please call (614) 523-2947.

**BUSINESS OWNERS**—Need cash fast? \$50,000 to \$2 million loans. Business loans. Lines of credit. Equipment loans. Call Bob at Sun Management and Financial (248) 353-1600.

**FOR SALE**—Oakland County Shell gas station, 3/4 acre of property, high traffic area, off freeway exit. Convenience store, car wash, gasoline and diesel sales. Serious inquiries only. Contact Joe: H (810) 229-5929, C (248) 854-1856

**FAST FOOD RESTAURANT FOR SALE**—Located in nice Detroit westside area on 7 mile rd. Newly remodeled, drive-thru, equipped to run, plenty of parking spaces. Good investment. Owners looking to retire. If interested, please call Maria at (248) 980-4558.

**SLUSH MACHINE FOR SALE**—Taylor brand slush machine for sale, model #349 with 4 flavored beverage cylinders that feature automatic defrost and power saver. Can provide you with start-up supplies such as plastic cups, lids and straws. Asking \$9,999.00 firm. Please call Jay or John at (586) 757-2130.

**DRY STORAGE WAREHOUSE**—Reasonable rates. Call (313) 491-1500.

**STORAGE**—Liquor, beer and wine storage. Licensed since 1946. Call (313) 491-1500.

**NEED EXTRA DRY STORAGE?**—Family owned Westside Cold Storage for dry or freezer space. Located at 3340 Trumbull Ave., Detroit, MI. Accessible Monday - Friday 7:00am to 3:00pm. Reasonable rates, easy unloading/pickup and protected by Guardian Alarm. Call (313) 961-4783.

**FOR SALE**—Michigan thumb area convenience store. Beer, wine, lottery, gas, food & property. Call (810) 387-3390 or (810) 387-0154.

**LIQUOR STORE FOR SALE**—Located in Muskegon (West Michigan). Busy Location. Must sell, owner moving out of state. Asking \$329,000. Serious enquiries only. Call (231) 288-0532.

**FOR SALE**—Self serve rotisserie chicken warmer, marinating machines, pannini maker, 5hp Hobart meat grinder, ice table, 4' cigar humidor, soup station, compressor, gas heater, blower, carts, commercial cooking pots, pans, deli trays, shelving & more! All in excellent condition, must sell. West Bloomfield, MI. Call (248) 626-2662 ask for manager.

**FOR SALE**—4 acre commercial lot, more available, level, vacant. Roscommon County, MI. Possible supermarket location in the center of town. \$295,000 please call (989) 389-1428.

**FOR SALE**—5 plus acres with 25,000 sq. ft. retail and storage building with phone, electric and natural gas. In the center of town. \$495,000 please call (989) 389-1428.

**FOR SALE**—Alma, MI. 14 plus acres at expressway with 6 on & off ramps. Good building site, class A road. Natural gas at the street and electric on the property. \$495,000 or best offer, please call (989) 389-1428.

**FOR SALE**—Price Reduced!! Bakery & pizza store since 1961. 8-door walk-in cooler. High traffic area in St. Clair Shores. Building and business included. Will consider leasing building. A must see. Call Paul Miller at (586) 212-3138.

**STATION FOR SALE**—Great location (N/W Columbus, Ohio): Retail gasoline station with convenience store and auto repair. Serious and confidential inquiries only please. Call (614) 580-8505.

ASSOCIATED **AFPD**  
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- Chase Paymentech will even pay for the shipping freight cost of your processing supplies!

To sign up for this program today,  
**Call Jim Olson from Chase Paymentech at 1-866-428-4966**  
and let him know you are an AFPD Member Or FAX him your  
credit card processing statement to **1-866-428-4971 (fax).**

Members with Questions Call: Auday Arabo at the AFPD Office at 1-800-666-6233!



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**Monitoring works with your existing system**

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This high end digital video recording system comes in 8 and 16 channel configurations. The 8 channel unit comes standard with 120 fps and 240 fps for the 16 channel. The system combines digital video recording, multiplexing, motion detecting, and remote viewing into the most stable platform on the market.



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**\$239.00 a month 24 months**  
Includes 2 year warranty  
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12 Indoor Cameras  
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# ASSOCIATED FOOD & PETROLEUM DEALERS

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## S.E. MICHIGAN HOLIDAY FOOD & BEVERAGE SHOW



**TUES. & WED., SEPTEMBER 22 & 23, 2009**

**Rock** financial  
**SHOWPLACE**<sup>SM</sup>

46100 Grand River Ave.  
Novi, Michigan 48375

**Show Hours:**

Tues., Sept. 22, 2009 • 4-9 p.m.  
Wed., Sept. 23, 2009 • 4-9 p.m.  
(1 mile west of Novi Rd., Novi)

Admission Ticket Required.

**\$35 at the door**  
for Non-AFPD Members

**Call AFPD for more information at 1-800-666-6233**





# BACARDI® DRAGON BERRY



ENJOY WITH  
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INTRODUCING  
STRAWBERRY RUM INFUSED WITH DRAGONFRUIT

## BACARDI® DRAGON BERRY™ & Lemonade

1 part BACARDI® DRAGON BERRY™  
Flavored Rum  
3 parts lemonade  
Pour ingredients over ice and garnish  
with a lime wedge.

## BACARDI® DRAGON BERRY™ & Citrus Flying Dragon

1 part BACARDI® DRAGON BERRY™  
Flavored Rum  
2 parts lemonade  
2 parts Sprite®  
Pour ingredients over ice in a tall  
glass  
and garnish with a lime or kiwi wedge.

## BACARDI® DRAGON BERRY™ Dragon Serum

1 part BACARDI® DRAGON BERRY™  
Flavored Rum  
1-1/2 parts orange juice  
1-1/2 parts cranberry  
Pour ingredients over ice in a tall  
glass  
and garnish with an orange wedge.

## BACARDI® DRAGON BERRY™ Limeade

1-1/2 parts BACARDI® DRAGON  
BERRY™ Flavored Rum  
1-1/2 parts fresh lime juice  
1/2 part grenadine  
lemon-lime soda, to top  
Combine all ingredients (except  
lemon-lime soda) into a shaker filled  
half-way with ice. Shake well and  
strain into a glass filled with ice. Top  
with lemon-lime soda. Garnish with  
lime wedge and cherry.

## BACARDI® DRAGON BERRY™ Dragon's Bite Shot

1-1/2 parts BACARDI® DRAGON  
BERRY™  
Flavored Rum  
1/2 part BACARDI® COCONUT™  
Flavored Rum  
2 orange slices  
Muddle orange slices in a shaker.  
Add ice and BACARDI® DRAGON  
BERRY™,  
shake hard and strain into a  
shot drink glass.

## BACARDI® DRAGON BERRY™ Dragon's Blood Shot

1 part BACARDI® DRAGON BERRY™  
Flavored Rum  
1/2 part triple sec  
1/2 part pomegranate juice  
1/4 part lime juice  
Shake all ingredients with ice.  
Strain into a shot drink glass.

ENJOY OUR PRODUCTS RESPONSIBLY.

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## Food Stamp Distribution Changes

AFPD met with representatives from the Michigan Department of Human Services (DHS) to determine the intent of DHS's future plans to expand food assistance distribution across a greater number of days in the month. DHS indicated that the department is implementing a new system

called BRIDGES, which is the computer software used to distribute benefits to food assistance clients. BRIDGES will be fully implemented across Michigan this September. DHS indicated that it plans to propose a change in food stamp distribution in January 2010, after full imple-

mentation and necessary updates to BRIDGES. AFPD urged for this planning and proposal period to take place in fall 2009, which would allow more time for organizations to partner with DHS on communication to clients and other issues.

## ASSOCIATED **AFPD** AFPD Member Program! FOOD & PETROLEUM DEALERS, INC.



### BLUE CROSS BLUE SHIELD HEALTH INSURANCE PROGRAM



- Exclusive toll-free customer service number with dedicated AFPD personnel
- Billing and administration handled directly by AFPD
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With access to the Blues' unmatched statewide networks, your employees will have the flexibility to choose from a wide variety of providers (doctors/hospitals) to meet their individual health care needs.

#### WORLDWIDE ACCEPTANCE

Blues coverage does not stop at the state line. With BlueCard® protection, your employees' coverage extends across the country and around the world. No other card is recognized and accepted as the one that carries the Cross and Shield.

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Good health means a healthier bottom line. Blues health plans include wellness resources that support your employees in achieving wellness goals such as losing weight or stopping smoking - at no additional cost to you or them.

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Designed for small and medium-sized business, AFPD and BCBSM partnership gives you access to more plans which are lower in cost. You also have access to dedicated claim and customer services representatives.

For more information or to sign up for this program today, call...

Paul Jaboro at  
(586) 291-6022 or  
Rocky Husaynu at  
(248) 851-2227

**Make sure to tell  
them that you are a  
AFPD Member.**

Members with Questions  
Call: Auday Arabo at the  
AFPD Office at  
1-800-666-6233!



## U.S. Freedom Bio Fuels Converts Animal Fat to Fuel

U.S. Freedom Bio Fuels LLC, maker of biodiesel production equipment, has unveiled a processor that allows the efficient conversion of rendered animal fat to biodiesel fuel at a rate of 200 gallons every eight hours.

For every 10 pounds of rendered fat, the U.S. Freedom Bio Fuels model BD65AF will produce 1 gallon of finished fuel, which can be used to power diesel generators, diesel cars and trucks and oil fired furnaces, according to the company. The processor will create fuel in 40- and 65-gallon batches each in two hours.

The first machine is being used by Custom Meats of Marathon Inc. Owner Tom Heise said he was looking for a solution to the high cost of rendering disposal, as well as a way to reduce the operating cost of his fleet of delivery and livestock transport vehicles.

Burning a fuel that is 95 percent cleaner than No. 2 diesel fuel, Heise experienced a 15-percent improvement in miles per gallon, U.S. Freedom Bio Fuels said in a statement.

According to the American Association of Meat Processors, there are more than 5,000 USDA inspected meat processors in the United States. Each meat processor produces thousands of pounds of trimmings per week.

U.S. Freedom Bio Fuels LLC is looking for qualified distributors.





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## Watch Your Eyes

It's hard to think of a good reason not to wear safety glasses, goggles, or a faceshield when working around any tools or machinery. Of the more than 200,000 emergency room visits each year for eye injuries, at least 10,000 of them involve grinders. Browsing accident reports on the Internet will convince you of the risk.

Wood chips, metal shards, bits of tile, household chemicals, paint, solvents, and sticks are some of the things that can cause injury to your eyes. The good news is that it's easy to protect your vision. Just choose the right eye protection for the task at hand.

For general work around the store or shop, wear ANSI-approved safety glasses or goggles. Look on the frame for the "Z87+" mark, which indicates that the glasses are rated for high impact. Wear a face shield for grinding operations. In fact, buy several pairs of safety glasses and keep them in convenient locations so that you and your employees will always have them on hand.

Finally, set the example for your employees by wearing safety glasses in appropriate situations on the job. Provide safety glasses to all your employees to validate your commitment to eye safety.



## Important Changes in WIC Approved Foods

In accordance with upcoming changes in USDA regulations, the Michigan WIC Program will be changing the list of authorized foods. Effective August 1, 2009, the following foods will be added to the WIC approved foods list:

- Fresh fruits and vegetables
- 4 oz jars of infant fruits and vegetables
- 2.5 oz jars infant meats
- Whole grain bread/tortillas in 16 oz packages
- 64 oz bottles of juice
- 15-16 oz canned beans/peas

Additionally, the minimum inventory requirements will be changing to include some of the above foods. There will be other changes in the minimum inventory requirements as well.

Retailers will be notified of the specific detailed changes in these requirements, as well as any other changes in WIC transaction procedures by certified mail in June. Mike Perrelli, coordinator, WIC Vendor Relations

Unit, asks retailers not to contact the WIC office regarding these changes, as more information will be provided in the near future.

"Retailers should begin planning now for shelf space and merchandising needs," says Perrelli.



## Attention Food, Beverage & Petroleum Industries:

**ASSOCIATED AFPD**  
**FOOD & PETROLEUM DEALERS, INC.**

**Food & Petroleum Report  
MEDIA INFO  
& DATA**

*Working hard for the  
Michigan & Ohio Food,  
Beverage & Petroleum  
Industries*

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- Food Processors • Banks • Phone Companies
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**Reach a group of 10,000\* of your best prospects each month by advertising in AFPD's Food & Petroleum Report!**

\*2.5 Pass Along Readership. 4,000 circulation includes every supermarket, drug store, convenience store and specialty food market... virtually the entire retail food industry in Michigan!

### Don't Miss These Special Advertising Opportunities left in 2009:

**AUGUST**—AFPD Golf Outings

**SEPTEMBER**—Meet our Scholars

**OCTOBER**—Holiday Food & Beverage Show and the West Michigan Food, Beverage & Petroleum Show

**NOVEMBER**—"Made In Michigan"

**DECEMBER**—Food & Beverage Industry Trends

*New for 2010! AFPD's Food & Petroleum Industry All-Color Wall Calendar  
Reserve your company's "month" today!*

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Call for information  
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**STANDBY  
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If you're reading this message, we can help you increase your company's market share in Michigan. Our rates are competitive and layout and design personnel are available to give you your own special flair to your ad.

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ASSOCIATED **AFPD**  
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# Annual Michigan Golf Open

Fox Hills Golf Course  
8768 N. Territorial, Plymouth, MI, 48170

Wednesday, July 15, 2009  
Shotgun Start: 9:30 am

Sell Out!  
288 Golfers  
Last Year!!

**AFPD**

For information on sponsorships opportunities,  
call Auday Arabo at (800) 666-6233 or email [aarabo@AFPDonline.org](mailto:aarabo@AFPDonline.org).

# New Law Offers Special Small Business Tax Breaks but IRS says **Act Now.**



The Internal Revenue Service is urging small businesses to act now and take advantage of tax-saving opportunities included in the new American Recovery and Reinvestment Act (ARRA). Enacted in February, ARRA created, extended or expanded a variety of business tax deductions and credits.

Because some of these changes are only available this year, eligible businesses only have a few months to take action and save on their taxes. Here is a quick rundown of some of the key provisions:

## Tax Incentives for Business (Subtitle C)

- **50-Percent Special Depreciation Allowance/Bonus Depreciation** (Section 1201). The new law extends the 50-percent special depreciation allowance that was available for 2008 acquisitions to acquisitions of qualifying property in 2009. This provision enables businesses to deduct half the adjusted basis of qualifying property in the year it is placed in service. The extension applies to qualifying property placed in service in 2009 (2010 for long production period property and certain transportation property).
- **Acceleration of Certain Business Credits** (Section 1201).

Corporations that acquire eligible business property have an additional year to accelerate certain tax credits in lieu of a bonus depreciation deduction. The extension applies to eligible business property placed in service in 2009 (2010 for long production period property and certain transportation property).

- **Section 179 Expensing** (Section 1202). During 2009, small businesses can expense up to \$250,000 of the cost of qualifying property under section 179. Without the new law, the limit would have dropped to \$133,000. The existing \$25,000 limit still applies to sports utility vehicles. The \$250,000 amount provided under the new law is reduced if the cost of all section 179 property placed in service by the taxpayer during the tax year exceeds \$800,000.

- **Expanded Net Operating Loss Carryback** (Section 1211). Many small businesses that had expenses exceeding their income for 2008 can choose to carry the loss back for up to five years, instead of the usual two years. For small businesses that were profitable in the past but lost money in 2008, this could mean a special tax refund. The option is available for a small business that has no more than an average of \$15 million in gross receipts over a three-year period. This option is available for most eligible taxpayers for a limited time. A corporation that operates on a calendar-year basis, for example, must file a claim by Sept. 15, 2009. For eligible individuals, the deadline is Oct. 15, 2009.

- **Estimated Tax Requirement Modified** (Section 1212). Many individual small business taxpayers may be able to defer until the end of the year paying a larger part of their

2009 tax obligation. For 2009, eligible individuals can make quarterly estimated tax payments equal to 90 percent of their 2009 tax or 90 percent of their 2008 tax, whichever is less. Individuals qualify if they received more than half of their gross income from their small business in 2008 and meet other requirements.

- **Discharge of Business Indebtedness** (Section 1231). The act allows certain businesses that repurchase specific types of debt in 2009 and 2010 to pay taxes on cancellation of debt income over a five year period, starting with tax year 2014.

- **Exclusion of Gain on the Sale of Certain Small Business Stock** (Section 1241). ARRA provides an extra incentive for investment in small businesses. The new law provides an increase in the Section 1202 exclusion from 50 percent (60 percent for enterprise zone qualified business entity stock) to 75 percent for any gain from the sale or exchange of qualified small business stock acquired after Feb. 17, 2009 and before Jan. 1, 2011, and held for more than five years. This provision is limited to individual investors and not available to corporations.

- **S-Corporation Built-in Gains Holding Period** (Section 1251). For tax years beginning in either 2009 or 2010, the new law eliminates the corporate level tax on the built-in gains of an S-Corporation that converted from C-corporation status at least seven tax years before the current tax year.

## COBRA Premium Assistance (TITLE III)

- **COBRA: Health Insurance Continuation Subsidy** (Section 3001). Under the new law, employ-

ees who were involuntarily terminated after Aug. 31, 2008 and before Jan. 1, 2010, and who elect COBRA health continuation coverage, are entitled to receive a 65 percent subsidy on their COBRA premiums. For periods of COBRA coverage beginning after Feb. 16, 2009, the involuntarily terminated employee must be treated as having paid the required COBRA pre-



mium if the individual pays 35 percent of the premium amount. The employer (or, in some cases multiemployer health plan or insurer) may recover the other 65 percent by taking the subsidy amount as a credit on their quarterly employment tax return.

## Energy Incentives (SUBTITLE B)

- **Extension of Renewable Energy Production Tax Credit** (Section 1101). The new law generally extends the "eligibility dates" of a tax credit for business facilities producing electricity from wind. See *TAX BREAKS*, page



200009

# ASSOCIATED FOOD & PETROLEUM DEALERS

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## WEST MICHIGAN FOOD, BEVERAGE & PETROLEUM SHOW



**WEDNESDAY, SEPTEMBER 9, 2009**

at the DeVos Place, Grand Rapids

**Show Hours:**

**Wed., Sept. 9, 2009 • 2-7 p.m.**  
DeVos Place, Grand Rapids, MI  
303 Monroe Avenue NW

Admission Ticket Required.  
\$10 for Non-AFPD Members.

**Call AFPD for more information at: 1-800-666-6233**

## TAX BREAKS

Continued from page 30

closed-loop biomass, open-loop biomass, geothermal energy, municipal solid waste, qualified hydropower and marine and hydrokinetic renewable energy. The new law extends the "placed in service date" for wind facilities to Dec. 31, 2012. For the other facilities, the placed-in-service date was extended from Dec. 31, 2010 (Dec. 31, 2011 in the case of marine and hydrokinetic renewable energy facilities) to Dec. 31, 2013.

- **Election of Investment Credit in Lieu of Production Credit** (Section 1102). Businesses that place in service facilities that produce electricity from wind and some other renewable resources after Dec. 31, 2008 can choose either the energy investment tax credit, which generally provides a 30 percent tax credit for investments in energy projects or the production tax credit, which can provide a credit of up to 2.1 cents per kilowatt-hour for electricity produced from renewable sources. A business may not claim both credits

for the same facility.

- **Repeal of Certain Limits on Business Credits for Renewable Energy Property** (Section 1103). The new law repeals the \$4,000 limit on the 30 percent tax credit for small wind energy property and the limitation on property financed by subsidized energy financing. The repeal applies to property placed in service after Dec. 31, 2008.
- **Coordination with Renewable Energy Grants** (Section 1104). Business taxpayers also can apply for a grant instead of claiming

either the energy investment tax credit or the renewable energy production tax credit for property placed in service in 2009 or 2010. In some cases, if construction begins in 2009 or 2010, the grant can be claimed for energy investment credit property placed in service through 2016, and for qualified renewable energy facilities, the grant is 30 percent of the investment in the facility and the property must be placed in service before 2014 (2013 for wind facilities).

- **New Clean Renewable Energy Bonds** (Section 1111). Certain state utilities, governmental entities and cooperatives that initiate projects to generate electricity from renewable sources (for example, wind and solar) can finance those projects through qualified tax credit bonds. The new law increases the amount of funds available to issue new clean renewable energy bonds from the one-time national limit of \$800 million to \$2.4 billion.
- **Temporary Increase in Credit for Alternative Fuel Vehicle Refueling Property** (Section 1123). The new law modifies the credit rate and limit amounts for property placed in service in 2009 and 2010. Qualified property (other than property relating to hydrogen) is now eligible for a 50 percent credit, and the per-location limit increases to \$50,000 for business property (increases to \$2,000 for other/residential locations). Property relating to hydrogen keeps the 30 percent rate as before but the per-business location limit rises to \$200,000.
- **Increased Exclusion Amount for Commuter Transit Benefits and Transit Passes** (Section 1151). The new law increased to \$230 the monthly tax exclusion for employer-provided commuter transportation and transit pass benefits, effective from March through the end of 2009. Employers can generally deduct these qualified transportation fringe benefits as a business expense. These benefits are also excluded from an employee's wages for income tax and payroll tax purposes. Because of this exclusion from employee wages, the employer can reduce the amount paid in employment taxes. For more information and frequently asked questions, visit [www.irs.gov](http://www.irs.gov).

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## Coupon Redemption

Make money and save time by letting the AFPD professionals handle your coupons!

The Associated Food & Petroleum Dealers (AFPD) Coupon Redemption Program eliminates a retailer's time consuming and costly chore of sorting, counting, and mailing coupons to individual manufacturers. It also reduces the volume of accounting records retailers must keep, leaving you with more time to effectively manage your retail business.

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- Call our office and speak to Harley Davis & fill out our survey. You package and mail your coupons to the AFPD office. We take care of the coupon sorting and mailing for you. We then send you a check for the amount of the coupons redeemed, minus a security deposit for any potential charge backs. At the end of the year we will release any security deposit you have remaining. At the end of the year, we will send you a check for the number of valid coupons you redeemed through AFPD. (5 cents per coupon!)
- Should a problem occur, our dedicated coupon staff is there to assist you.

**BONUS:** You will receive the face value of your coupon plus 5 cents for each valid coupon you redeem through our program!



Call Harley Davis or Jane Shallal at the  
AFPD Office Today! (800) 666-6233

Taking coupons allows you to compete and now through the AFPD Coupon Redemption Program **WILL MAKE YOU MONEY!** We do all the work, and you **GET PAID!**

The AFPD Coupon Redemption Program has been successful for more than 25 years. We hope you will take advantage of our program and allow us to make money for you today!

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*Courvoisier*  


## 'Pay or Play' Health Care Mandates Could Burden Small Businesses



A key Senate committee is considering a health care employer mandate as the federal health care reform debate officially gets under way this summer. A "pay or play" proposal is expected to be offered in committee, which could impose health care mandates and a significant financial burden on restaurants, foodservice, and other small businesses.

Under "pay or play", an employer would be required to either pay an undetermined penalty ("pay"), or provide health insurance to all employees ("play") at a level determined by the government. Critics of the proposal say an employer "pay or play" requirement would threaten the jobs of the people the requirement is intended to help by putting an undue burden on businesses with 50 or fewer

employees. The Employment Policy Institute estimates that this type of requirement would result in 995,000 lost jobs and a reduction in wages by \$71 billion.

The Senate Health, Education, Labor and Pensions (HELP) Committee began consideration of Senator Ted Kennedy's "Affordable Health Choices Act" in June. The Senate Finance Committee is also expected to act later in the month. Under a very aggressive timeline, assuming legislation is approved by both committees, a health care bill could be on the Senate floor the week after July 4th. The House is expected to try and move its bill starting in July.

Senator Sherrod Brown (D-OH) serves on the HELP Committee, while Senator Debbie Stabenow (D-MI) serves on the Finance Committee. You can fax or email either of these senators with your opinion on "pay or play," or call the Congressional switchboard at (202) 224-3121.

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## 85 Percent of Consumers Eat Burgers at Least Once a Month

In a recent survey of 1,200 U.S. consumers, the vast majority (85 percent) said they eat burgers once a month or more; only 6 percent say they never eat burgers. Among the more interesting findings in the two burger reports by Chicago-based Technomic consultants:

- Significant differences were found in burger preferences and consumption behavior based on gender, age, region, ethnicity, and income. For example, Northeastern consumers are the lightest burger users, and Asian consumers are more likely to find themed burgers appealing than other ethnic groups.
- Heavy burger users, those who eat burgers once a week or more, make up the largest burger user category (44 percent); this group skews toward young consumers and those in the South and Midwest.

"Burgers are more popular than ever, and represent some of the hottest trends in the food industry," says Darren Tristano, executive vice president of Technomic Information Services. "Given the overall strength in the segment and consumer interest in variety and customization, burgers provide a great avenue for innovation and sales growth."



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Central Ohio Petroleum Marketers, Inc. .... (614) 889-1860  
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Countywide Petroleum ..... (440) 237-4448  
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Gilola, Inc. .... (216) 241-3428  
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Spartan Stores, Inc. .... (616) 878-2248  
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## Appeals Court Sides with Retailers on Issue of Tobacco Advertising

The U.S. Court of Appeals for the District of Columbia has sided with retailer concerns in the case of *USA v. Phillip Morris*, vacating a provision of the ruling of the U.S. Circuit Court for the District of Columbia that required retailers to post messages correcting the false claims made by manufacturers concerning the adverse health effects of tobacco products.

In the case, the United States alleged that the tobacco companies had engaged in a decades-long conspiracy to deceive consumers about the adverse health effects of smoking tobacco products. Back on August 17, 2006, the U.S. Circuit Court for the District of Columbia entered a Final Judgment and Remedial Order against the tobacco companies. Among other relief, the Remedial Order mandated that the tobacco companies "require retailers who participate in [a Retail Merchandising Program] to display" corrective statements "in a position of prominent visibility," specifically on a "Countertop Display and Header Display at retail point-of-sale."

At the time, the tobacco companies appealed the Final Judgment and Remedial Orders to the Court of Appeals. The National Association of Convenience Stores (NACS) filed an amicus brief with the Court of Appeals in support of the tobacco companies' position. If the ruling was allowed to stand, the Remedial Order would have a profound and adverse effect on convenience stores and grocers.

While the Court of Appeals largely affirmed the district court's findings on liability and the remedies it ordered, it vacated the Remedial Order as to point-of-sale displays, among other things.

Citing NACS's brief, the Court of Appeals found that retailers were not given notice of this remedy or an opportunity to present evidence or arguments to the court regarding the impact the injunction would have on "the most important space within a convenience store" and retailers' businesses.

Accordingly, the Court of Appeals vacated the order regarding point-of-

sale displays. This portion of the order will return to the District Court, where, if the government continues to pursue displaying corrective statements at the point-of-sale, con-

venience stores and grocers and the associations that represent them will be given an opportunity to present evidence and argument to the court on the impact of such an order.



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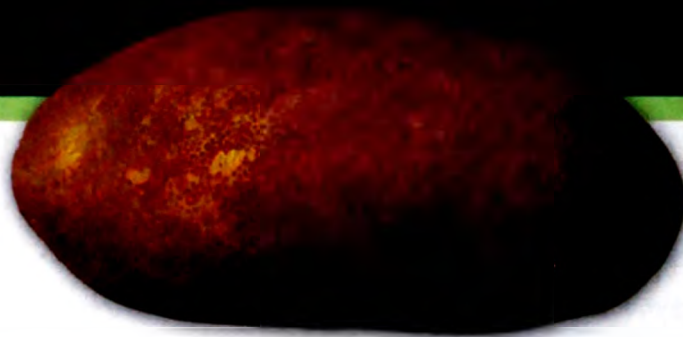
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