

BottomLine

THE VOICE OF INDEPENDENT RETAILERS // VOL. 25, NO. 3 // MARCH 2014



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pg 22



GOVERNMENT
RELATIONS

■ Government Relations,
the First of AFPD's Seven
Pillars of Service

// PAGE 6





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BottomLine



THE VOICE OF INDEPENDENT RETAILERS
VOL. 25, NO.3 // MARCH 2014

features



GOVERNMENT RELATIONS, THE FIRST AFPD PILLAR OF SERVICE

Each month for the next 7 months, we will feature one of the 7 Pillars of Service that make up AFPD. This month we feature Government Relations.



HAVING A BALL AT THE GALA

Hundreds of people had many good things to say about the 98th Annual Trade Dinner & Ball and one quote from a guest stood out. "This is always the event of the year for our industry."



COVER STORY // AFPD FOUNDATION BUILDING RELATIONSHIPS THROUGH BUSINESS

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president's message

AUDAY ARABO // AFPD PRESIDENT & CEO

We have so many things to be thankful for at AFPD, from our members, to our sponsors to another fabulous and fun 98th Annual AFPD Gala to new vendor programs which will save our members more money. In my humble opinion, the best part of the job is the seeing and interacting with the scholarship recipients every year! The young men and women remind us what really counts at the end of the day, our families and our future generations. Regardless of whether a scholarship recipient stays in the retail industry or not, it is the difference they will make in shaping the world is what is telling and exciting all at the same time. Please make sure you share the opportunity to win an AFPD scholarship with your family members, your employees and YOUR CUSTOMERS! Yes, this is a great way of giving back to the community you serve without costing you a dime. The deadline for applications is March 31st and applicants can apply online at www.AFPDOnline.org based on merit, need or minority status. The winners are chosen by a third party organization based in Tennessee that specializes in awarding scholarships all across the country. Last year we awarded 38 scholarships and this would not have been possible without the generosity of so many great supplier and retailer sponsors along with other entities and organizations that care about education. We give away as many scholarships as possible with the funds we are able to raise. Please spread the word! Scholarships are only one of many things AFPD offers our members. Every once in a while I am asked by a member or more often than not a non-member, what does AFPD do? There are so many things we do on a daily basis it was hard to give a comprehensive short response until now. We have created the 7 Pillars of Service which is what AFPD stands upon. The 7 Pillars of Service are Government Relations, Compliance, Community Outreach, Publications, Events, Vendor Programs and the AFPD Foundation. Every pillar is specialized and multi-faceted and will be featured more in depth in our monthly magazine starting with Government Relations in this issue. The AFPD 7 Pillars of Service are like a buffet, some members join for one pillar and some use all seven, the choice is up to you! AFPD membership is similar to a gym membership, just because you join does not mean you will get into shape. You will get out of AFPD what you put into it! Some members call on us weekly and monthly basis and their return on their investment is tremendous. A membership into AFPD is the best and most cost effective investment you will ever make, but even some of our members do not understand all we have to offer. It is like buying a high performance car and not knowing how to get it out of second or third gear. AFPD has 104 years of battle tested history and our membership rolls and services continue to grow at an unprecedented pace! AFPD did great things with Joe Bellino, Jr. as our Chairman over the past two years and we expect to continue that success with our new Chairman of the Board Pat LaVecchia. It is a great time to be an AFPD member because we offer more services today than ever before, but we are never satisfied and want to do more for you, the AFPD member. Please call or email us and let us know how we can better service you! In closing, AFPD lost a great friend last month when Angelo Henderson suddenly passed away. He was great man, award winning journalist and radio talk show host who loved his Church and loved the City of Detroit and really worked hard to showcase all the great retailers in the City of Detroit. Our prayers go out to his family, he will be missed. God Bless! ■

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Government Relations, the First AFPD Pillar of Service

Each month for the next 7 months, we will feature one of the 7 Pillars of Service that make up AFPD. This month we feature Government Relations. In today's highly competitive business environment, changes in local, state and federal rules, regulations and laws can have a dramatic impact on your business operations.

Members are provided with up-to-date information on new laws and regulations. More importantly, AFPD maintains a comprehensive government affairs program which constantly seeks to influence legislative and regulatory policies on the federal, state and local level affecting retailers.

AFPD has the best lobbyists in Lansing and Columbus and the AFPD staff and lobbyists works diligently on a daily basis to protect your interests and profitability by monitoring legislative activity, killing bad legislation and seeking changes which would make AFPD members lives easier or at least on a level playing field with the chains and big box retailers. AFPD has been very successful over the past few years in Lansing and Columbus! AFPD's bill gave the alcohol industry in Michigan a \$14 million tax break in 2012 by eliminating the 1.85% tax on alcohol that retailers had paid since 1973, while restaurants and bars never had to pay that tax. Another big win in Michigan was the Michigan MUSTFA Fund Amendment and fighting and opposing the expansion of the Bottle Bill and major expansion of alcohol licenses and helping protect the 1/2/ mile rule just to name a few.

In Ohio AFPD put an end to the Commercial Activity Tax. On June 30, 2013, after many months



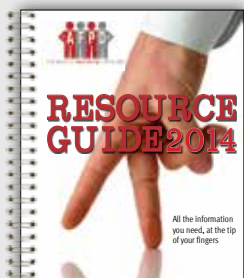
of AFPD advocacy and leadership, Governor Kasich signed into law the legislation that will end the seven year reign of the controversial and unfair tax on motor fuel in Ohio-known as the CAT tax. In its place a NEW motor fuel tax was enacted (beginning on July 1, 2014) one with a "single point of taxation" –the "rack", and at the same rate of taxation for all who sell motor fuel in the State of Ohio. Now-independent gasoline retailers will be on a level playing field with all other gasoline retailers-resulting in fundamental fairness.

Some wins are regulatory, not legislative, for instance in Michigan last year, AFPD advocated for further fraud reduction and for healthier food options by seeking elimination of the Electronic Benefit Transfer (EBT) restaurant program. While recognizing the concerns about fraud and the lack of nutritional food available by some restaurants in extending EBT use by homeless, elderly or disabled persons, the Department of Human Services announced that it will no longer participate in the EBT/restaurant program as of August 1, 2013. The independent retailers of AFPD will provide plenty of other healthy options for recipients who are homeless, elderly or disabled-to use their EBT cards. Another game changer was in 2010 when AFPD entered into a private-public contract with Michigan's DHS and helped the state pay for the change in SNAP benefits distribution which made Michigan the first state in the country to stagger SNAP benefits over a twenty day period. This have been so successful, now seven other states have followed and immolated the Michigan SNAP benefit staggering model!

These and many other efforts have been the result of AFPD representatives fighting to ensure you remain competitive in the market. Our team effort approach also gives members an opportunity to take an active and direct role in communicating with their state and federal legislatures on issues of concern.

The complete AFPD lists of accomplishments can be found in the government relations section of the resource guide and online at www.afpdonline.org. ■

GUIDING YOU IN 2014



The AFPD annual Resource Guide 2014 is now available. This newly designed publication has all the information you need at the tip of your fingers. The easy-to-read guide has detailed information about the seven pillars of AFPD, which include government relations, compliance, community outreach, publications, events, vendor programs and the AFPD Foundation. It also lists the board of directors, supplier and associate members, legislators and highlights industry events, key contacts and food banks. With its easy to use tabs and portable size, every member's office should have a copy of this useful guide. You can even add to the directory as well in the "notes" section in the back. If you have not received your copy, call our office today and we will make sure to send one your way!



Auday Arabo, Chairman, joined AFPD in 2009 as president and CEO. He previously was president and CEO of the Neighborhood Market Association in California. He graduated magna cum laude from San Diego State University and has a law degree from the California Western School of Law.

Pat LaVecchia, Treasurer, owns Pat's Auto Service and is a 45-year veteran of the petroleum and repair industry. He has served as president of OPRRA as well as the Great Lakes Petroleum, Retailers & Allied Trades Association.



Joe Bellino, Jr., Secretary, spent his first business years in his family's beverage distributorship and owns Broadway Market in Monroe, Mich. He serves on the Monroe Community College's board of trustees.

James V. Bellanca, Jr., Trustee, is a business and corporate attorney with the firm of Bellanca & LaBarge, Attorneys and Counselors. He has also served as special counsel to the City of Lincoln Park and the Wayne County Circuit Court and Wayne County. Bellanca earned his J.D. degree at the University of Detroit.



John Denha, Trustee, has owned 8 Mile Foodland, a family business, since 1989. He also serves on the Downtown Southfield Cornerstone Development Authority.

Vanessa Denha-Garmo, Trustee, is founder of Denha Media Group. She is an award-winning journalist, a writer, speaker, and consultant; a radio reporter, talk show host and producer. She has her Master's Degree in Communications. She volunteers with the Chaldean American Ladies of Charity and the Eastern Catholic Re-Evangelization Center (ECRC).



Tiffany Otis-Albert, Trustee, has been in the health care industry for 20 years and is currently external sales distribution and strategic sales director for Blue Cross Blue Shield of Michigan. A graduate of the University of Michigan-Ann Arbor, Otis-Albert is immediate past president of the Michigan Association of Health Underwriters (MAHU), and has served on the American Lung Association of the Midland States (ALAM); the Anti-Defamation League; the Coalition on Temporary Shelter (COTS); the City of Hope; and the Michigan Pro Athletes' Charity (MPAC).

Mike Quinn, Trustee, joined Pepsi in 1985 and is currently director of convenience, grocery, and dollar channels for the Central business unit. He also serves on the board of directors for Orchards Children's Services.



Angela Thomas, Trustee, joined Signature Associates in September 2005 after graduating from the University of Michigan-Ann Arbor. Her specialty is retail brokerage representing both tenants and landlords in Michigan and throughout the country.

Trevor F. Lauer, trustee, is vice president of Distribution Operations for DTE Energy. Prior to joining DTE Energy, he was executive vice president at Pittsburgh based Strategic Energy LLC. He also worked on a variety of leadership and general management positions from Honeywell, Inc. in the Washington, D.C. area. Lauer earned a bachelor's degree in mineral economics from Pennsylvania State University and a master's degree from the University of Maryland.



Nabby Yono, Trustee, is vice president of community relations at the Arab American and Chaldean Council. He is a member of the Chaldean Archdiocese of America and volunteers for many fundraising projects. He previously served as an AFPD board member for 20 years, including the position of chairman from 1995-96.

Jim Hooks, Trustee, is president of Metro Foodland, the only African-American owned/operated supermarket in Detroit. He has been in the retail food business since 1969 and spent seven years with The Kroger Co. before buying his first store. Hooks also serves on several other boards.



Having a Ball at the Gala

Hundreds of people had many good things to say about the 98th Annual Trade Dinner & Ball and one quote from a guest stood out. "This is always the event of the year for our industry."

This year's dinner included a less than 10 minute program which allowed close to 1,000 guests focus on networking and having fun. When they were not on the dance floor moving to the sounds of singer Steve Aho with Mark Kassa's Band Slight Return, guests were strutting to the Boogie Heads and taking photos on a TapSnap machine or in front of a green screen.

The casino tables were a hit and the cigar patio offered some late night socializing. If guests did not fill up on the hors d'evoures and the dual entrée gourmet dinner and dessert, they nibbled on freshly made hot Dinky Donuts and the candy buffet with a cup of cappuccino or hot tea. For the late night snackers, coney dogs and ice cream hit the spot.

Close to one thousand guests attended the event at the Suburban Showplace in Novi. "We made changes in our program this year and we noticed it made a tremendous difference," said Auday Arabo, president and CEO. "We are grateful to all who attended and made this year's gala a huge success. We appreciate the continued support of AFPD and hope for a bigger and better event next year."







petroleum news & views

EDWARD WEGLARZ // AFPD DIRECTOR, PETROLEUM

National Agreement Should End “Right To Repair” Debate

Automotive groups will be banding together to ensure consumers have choices in post-warranty auto repair. The national agreement, which ends the prolonged “Right to Repair” debate within the industry, is based on a recent law finalized in the Commonwealth of Massachusetts.

The signed Memorandum of Understanding (MOU) extends the essential provisions for all light vehicles negotiated in the Massachusetts law nationwide. It impacts all companies and organizations that are currently members of the signatory associations.

The national agreement ensures that automotive aftermarket associations will stand down in their fight on “Right to Repair” and work collectively to actively oppose individual state legislation while the respective groups work to implement the MOU. In the meantime, the parties agree that further state legislation is not needed and could serve to weaken the effectiveness and clarity of the MOU. “Automakers manufacture high quality, innovative vehicles that provide strong value, safety, and convenience to our customers,” said Mitch Bainwol, President and CEO of the Alliance of Automobile Manufacturers. “Accessible, efficient, accurate, and competitively-priced repair and service are paramount, and franchised dealers and the aftermarket play unique and important roles in the repair process.”

The change was also lauded as a way to streamline laws across the entire country. “Much like with fuel efficiency economy and greenhouse gases, a single national standard regarding vehicle repair protocols is imperative,” said Mike Stanton, President and CEO of the Association of Global Automakers. “A



patchwork of 50 differing state bills, each with its own interpretations and compliance parameters doesn't make sense. This agreement provides the uniform clarity our industry needs and a nationwide platform to move on. Worked to ensure our customers continue to have the right to choose where they buy their parts and have their vehicles serviced,” said Ray Pohlman, President of CARE. “This agreement will ensure vehicle owners will have competitive and quality choices in their repairs while strengthening the auto repair industry nationwide. This agreement illustrates what can happen when organizations focus on putting customers and consumers first.”

The “Right to Repair” act required automobile manufacturers to provide the same information to independent repair shops as they do for dealerships, and has been a point of contention for independent shops and consumers. Since the first Right to Repair Act was introduced in Congress in 2001, the automotive aftermarket has worked to ensure our customers continue to have the right to choose where they buy their parts and have their vehicles serviced. This agreement will ensure vehicle owners will have competitive and quality choices in their repairs while strengthening the auto repair industry nationwide. ■

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Things to Keep in Mind When Filing Your Taxes in 2014 for Tax Year 2013

■ BY RANDALL A. DENHA, J.D., LL.M.

The following are selected tax topics which affect individuals and businesses for tax year 2013.

INDIVIDUALS

Top Tax Rates: Single filers with taxable incomes exceeding \$400,000 (\$450,000 for married taxpayers filing jointly) are subject to the top tax rate of 39.6%.

Net Investment Income Tax: The net investment income tax, or NIIT, is a new tax that applies to individual, trust and estate income tax returns and is 3.8% of the lesser of two amounts: net investment income, or the excess of the taxpayer's modified adjusted gross income (MAGI) above \$200,000 (single filer) or \$250,000 (joint filer). Net investment income includes three broad categories: interest, dividends, annuity, royalty and rental income; net income from a business in which the taxpayer does not materially participate; and business income from trading in financial instruments or commodities, as well as capital gains and other net gains from the sale of investment or passive property.

Additional Medicare Taxes: An additional 0.9% Medicare tax now applies to FICA wages and self-employment income exceeding \$200,000 for single taxpayers, \$250,000 for joint filers and \$125,000 if married filing separately. This is in addition to the existing Medicare tax of 1.45% on all earned income and Social Security tax of 6.2% on earned income up to \$117,000.

Capital Gains Tax Rate: The maximum tax rate for long-term gains has increased to 20% for taxpayers in the highest tax bracket (39.6%), remains at 0% for taxpayers below the 15% bracket and remains at 15% for all others.

Alternative Minimum Tax (AMT): The exemption is increased to \$51,900 (from \$50,600) for single taxpayers, \$80,800 (from \$78,750) for joint filers and \$40,400 (from \$37,225) if married filing separately. These increases are now permanent and will be indexed annually for inflation. Also, certain non-refundable personal credits are permitted to offset the entire regular and AMT tax liabilities.

Personal Exemptions: The personal exemption is \$3,900 for 2013, an

increase of \$100. Phase-outs of the exemptions begin with adjusted gross income (AGI) of \$250,000 (\$300,000 for married taxpayers filing jointly).

Limitations for Itemized Deductions:

The phase-out of itemized deductions (often called the "Pease" Limitation) has returned for 2013. Married taxpayers filing jointly with AGI of \$300,000 or higher (\$250,000 for single taxpayers) will now see their itemized deductions reduced by 3% of the amount by which their AGI exceeds these thresholds. This reduction is capped at 80% of itemized deductions.

Medical Expense Deduction: The medical expense deduction is now limited to a 10%-of-AGI threshold for taxpayers under age 65. Those age 65 and older (or whose spouse is 65 or older) still have through 2016 to use the 7.5% threshold previously applicable to all taxpayers.

Standard Mileage Rates: The standard mileage rate is 56.5 cents per mile for business use of car, 24 cents per mile for medical and moving purposes and 14 cents per mile for charitable purposes.

Retirement Savings Plans Continue: IRA deductions may be available for those covered by other plans subject to certain dollar limits and phased out for single and joint taxpayers with AGI between \$59,000 to \$69,000 and \$95,000 and \$115,000, respectively. For joint filers where only one spouse is covered by another plan, the phase-out range is \$178,000 to \$188,000.

Roth IRA Income Limits: Roth contributions may be allowed for those with MAGI of less than \$127,000 for single taxpayers and \$188,000 for joint filers.

American Opportunity Tax Education Credit Continues: Up to \$2,500 credit per student is available for qualified higher-education expenses, such as tuition and cost of books. Phase-out begins at MAGI of \$80,000 for single filers and \$160,000 for joint filers.

Tax Benefits for Adoption: The maximum adoption credit increased to \$12,970 for out-of-pocket expenses for the legal adoption of a child. The credit is nonrefundable and phases out for taxpayers with MAGI exceeding \$194,580.

Same-Sex Marriage: As a result of the Supreme Court decision in *U.S. v. Windsor* and a related IRS Revenue Ruling issued shortly thereafter, same-sex married couples, if married in a state which recognizes same-sex marriages, will be recognized as married for federal tax purposes and may file jointly. The state where a couple was married rather than the state where a couple resides determines a same-sex couple's marital status for federal tax purposes. Civil unions and registered domestic partnerships recognized under state law do not qualify.

Estate and Gift Tax Changes: The top estate and gift tax rate increased to 40%, the estate tax exemption increased to \$5.25 million, and the annual per-donee gift tax exclusion increased to \$14,000. Additionally, estate tax portability was made permanent.

Foreign Account Reporting: Form 90.22.1, Report of Foreign Bank and Financial Accounts (FBAR), has been renamed FinCen Form 114 and must now be filed electronically. Despite the name change, the reporting requirements remain the same.

BUSINESSES

Small Business Health Insurance Credit:

A credit of up to 35% of employer-paid health insurance premiums (25% for small tax-exempt employers) is available for certain small businesses. Phase-outs of the credit begin for employers with 10 to 25 full-time equivalent employees and average wages between \$25,000 and \$50,000.

Home Office Safe Harbor: An optional safe-harbor method is now available for calculating the deduction of expenses for the business use of a taxpayer's home. The safe harbor is a simplified method of allowing expenses of \$5 per square foot of the portion of the home used for business, rather than the actual expenses for the portion of the home used for business. The safe-harbor method deduction allows for a maximum of 300 square feet, or \$1,500 deduction. The criteria to qualify for a home office deduction have not changed.

Property Purchased by Businesses:

Repair and capitalization regulations

TAX YEAR 2013

continued on page 14

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New Survey Results Show Shoppers Want More Personalized Assistance in Supermarkets

The Annual National Grocers Association-SupermarketGuru Consumer Survey Reveals Shoppers Want Support to Eat Healthier Including Professionals on the Selling Floor to Guide Food-Buying Decisions



More than 1,380 chief household shoppers completed surveys that detailed their experiences, behaviors and sentiments on what appeals to them (or not) about supermarkets, as well as their purchase influences, eating habits and nutritional concerns. A total of 133 shopping attributes are addressed in this year's survey.

According to the survey results, 85.9 percent of respondents say they spend more than half of their fresh-food dollars in supermarkets. This is up from 84.3 percent in the prior two years. Consumers also say they would rely more on nutritionists and dietitians on a regular basis - and some would pay for services tied to their individual wellness goals, weight loss, and best foods for specific health conditions.

Among other issues important to shoppers include: the retailers convenient location and access, navigable layouts and checkout processes that save time; courteous, custom services for people with special needs; the use of technology to tailor marketing

messages and promotional offers; and, caring about the customer, among other issues.

"The survey shows that independent and local stores that perform well on these points can enhance a shoppers' ability to integrate food into their lifestyles on their terms," says Peter J. Larkin, President and CEO, NGA. "The more personalized the shopping experience at friendly, nimble regional supermarkets, the greater their edge over retailers less connected to communities and less empowered to please people as personal situations arise."

"So there is an emotional side to where shoppers decide to do most of their food shopping," say Phil Lempert, CEO of SupermarketGuru.com and The Lempert Report. "But practicality rules the store selection process. Regionals need to enhance their place in shoppers' hearts with performance excellence that earns them a place in shoppers' minds."

Shoppers are also closely watching their wallets and the value with 79.6 percent saying accurate shelf tags are "very important. In addition, personal safety outside the store is up more than 3 points to 64.5 percent saying it's "very important."

Lempert adds, "This figure shows it's not just what's inside the store that counts. Surrounding areas have to be approachable and make people feel secure." ■

TAX YEAR 2013

continued from page 12

have been issued that govern the timing of expenses for acquiring, maintaining, repairing and replacing tangible personal property and are intended to clarify and simplify tax accounting for fixed assets, as well as creating new safe harbors. For example, businesses may now elect to immediately deduct up to \$10,000 in maintenance costs for buildings costing \$1 million or less; if costs are less than \$10,000, businesses may deduct maintenance costs of up to 2% of the building's adjusted basis. While these new rules apply to tax years beginning after December 31, 2013, early adoption, retroactively to 2012, is permitted.

Section 179 Deduction: Businesses can expense up to \$500,000 of qualified depreciable property under Section 179, with phase-out beginning when property placed in service exceeds \$2 million. In 2014, the deduction will revert back to \$25,000. Off-the-shelf software qualifies for the election through 2013.

Bonus Depreciation Deduction: A bonus depreciation deduction equal to 50% of the unadjusted basis of qualified property continues in 2013 but is set to expire in 2014.

Built-in Gains Tax: The shorter five-year built-in gain recognition period continues in 2013, but is set to expire in 2014.

Work Opportunity Credit: Businesses are eligible for a 40% tax credit for qualified first-year wages paid or incurred during the tax year to individuals who are members of a targeted group of employees, generally those working in excess of 400 hours annually. The credit is reduced for those employees working less than 400 hours. This credit is not available after 2013.

Business Start-up and Organizational Costs: Deductions of up to \$5,000 of business start-up and \$5,000 of organizational costs paid are available in the year in which an active trade or business begins. The \$5,000 deduction is reduced by the amount your total start-up or organizational costs exceed \$50,000. Any remaining costs must be amortized over 180 months. ■

Randall A. Denha, J.D., LL.M., principal and founder of the law firm of Denha & Associates, PLLC with offices in Birmingham, MI and West Bloomfield, MI. Mr. Denha can be reached at (248) 265-4100 or emailed at rad@denhalaw.com.



FDA To Revise Nutrition Facts Label For The First Time In 20 Years

Those nutrition labels on the back of food packages may soon become easier to read



■ BY MARY CLARE JALONICK //
ASSOCIATED PRESS

As the Food and Drug Administration agency considers revisions, nutritionists and other health experts have their own wish list of desired changes.

The number of calories should be more prominent, they say, and the amount of added sugar and percentage of whole wheat in the food should be included. They also want more clarity on how serving sizes are defined.

"When you look at the label, there are roughly two dozen numbers of substances that people aren't intuitively familiar with," says Michael Jacobson of the Center for Science in the Public Interest.

For example, he says, most of the nutrients are listed in grams, the metric system's basic unit of mass. Jacobson says people don't really understand what a gram is.

Michael Taylor, the FDA's deputy commissioner for foods, says 20 years ago "there was a big focus on fat, and fat undifferentiated." Since then, health providers have focused more on calories and warned people away from saturated and trans fats more than all fats.

The nutrition facts label "is now 20 years old, the food environment has changed and our dietary guidance has changed," says

Taylor, who was at the agency in the early 1990s when the FDA first introduced the label at the behest of Congress. "It's important to keep this updated so what is iconic doesn't become a relic."

One expected change in the label is to make the calorie listing more prominent, and Regina Hildwine of the Grocery Manufacturers Association said that could be useful to consumers. Her group represents the nation's largest food companies.

Hildwine said FDA also has suggested that it may be appropriate to remove the "calories from fat" declaration on the label.

It's not yet clear what other changes the FDA could decide on. Nutrition advocates are hoping the agency adds a line for sugars and syrups that are not naturally occurring in foods and drinks and are added when they are processed or prepared. Right now, some sugars are listed separately among the ingredients and some are not.

It may be difficult for the FDA to figure out how to calculate added sugars, however. Food manufacturers are adding naturally occurring sugars to their products so they can label them as natural — but the nutrition content is no different.

Other suggestions from health advocates:

- **Add the percentage of whole wheat to the label.** Many manufacturers will label products "whole wheat" when there is really only a small percentage of it in the food.

- **Clearer measurements.**

Jacobson of CSPI and others have suggested that the FDA use teaspoons instead of grams on the label, since consumers can envision a teaspoon.

- **Serving sizes that make sense.**

There's no easy answer, but health experts say that single-size servings that are clearly meant to be eaten in one sitting will often list two or three servings on the label, making the calorie and other nutrient information deceptive. FDA said last year that it may add another column to the labels, listing nutrition information per serving and per container. The agency may also adjust recommended serving sizes for some foods.

- **Package-front labeling.** Beyond the panel on the back, nutrition experts have pushed for labels on the package front for certain nutrients so consumers can see them more easily. The FDA said several years ago it would issue guidelines for front of pack labeling, but later said it would hold off to see if the industry could create its own labels.

Tracy Fox, a Washington-based nutrition consultant, says clearer information is needed to balance the billions of dollars a year that the food industry spends on food marketing.

"There's a lot of information there, it's messy," she says. "There may be a way to call out certain things and put them in context." ■



Obama Administration Releases Final ACA Employer “Shared Responsibility” Rules, Provides Limited Transition Relief

■ FOOD MARKETING INSTITUTE

The U.S. Treasury Department released the final rule implementing the Affordable Care Act’s (ACA) requirements for “large” employers (50+ full-time equivalent employees) under Internal Revenue Code §4980H for most large employers to be in compliance in 2015. The final rule follows Proposed Rulemaking over a year ago establishing several safe-harbors including allowing up to a 12-month “look back” safe-harbor for determining which variable-hour employees are determined full-time and eligible for employer health coverage. The final rule also provides additional transition relief and addresses some outstanding questions posed in the Proposed Rule. The final rule was published in the February 12, 2014 Federal Register. FMI has provided a summary below based on a call that they participated in with the Treasury Department upon the release of the final rule.

The final rule reaffirms previous proposed rulemaking from January 2, 2013 ACA guidance provisions, such as:

- Allowing employers a safe-harbor “to use a look-back measurement period of up to 12 months to determine whether new variable hour employees or seasonal employees are full-time employees” averaging 30-hours per week followed by a “stabilization period” that

maintains coverage for a length of time that matches the look-back period used.

- Providing a safe-harbor under the ACA’s “affordability” requirements for employers who can demonstrate that self-only coverage offered to employees does not exceed 9.5 percent of an employee’s W-2 wages or rate of pay.

The final rule also provides additional transition relief and addresses some outstanding issues from the proposed rulemaking including:

- “Large” employers with between 50-100 full-time equivalents will not be subject to enforcement under the ACA employer requirements until 2016 if the employer can certify that the size of its workforce was not reduced in order to avoid compliance with the ACA.
- All large employers will be treated as in compliance with offering coverage to full-time employees if they offer coverage to 70% of their full-time employees in 2015, but will be required to offer coverage to 95% in 2016.
- Large Employers do not need to offer health coverage to an employee’s dependents (children 26-years old or younger) through 2015, but will be required to do so in 2016.
- In preparation for 2015, large employers will be allowed an

abbreviated six-month “look-back” period that will have up to a 12-month “stabilization” period attached.

- The same abbreviated look-back period will be allowed to measure the number of full-time equivalents to determine if an employer is considered “large” (50+ full-time equivalents) and subject to ACA’s employer mandates.
- Non-calendar year plans will not be subject to compliance until the beginning of the plan year within 2015.
- “Seasonal” employees are defined as those seasonal employees who work up to six-months in a year. Exceptions will be allowed in extraordinary circumstances.
- Employer contributions to multiemployer plans that meet ACA requirements will be considered in compliance under an interim final rule.

FMI, Ernst & Young, and the E-FLEX Coalition will continue to review the details of these and other provisions within the final rule and plan to provide additional information. The Treasury Department also indicated that final ACA rules on employer reporting are forthcoming but did not provide any specifics on timing. In the meantime, please feel free to contact rrosado@fmi.org if you have questions, comments or are seeking additional information. ■

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Snyder Celebrates 'Food and Agriculture Month' in Michigan

Governor honors one of the state's top economic drivers



■ MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

Each year, states across the nation recognize March as a time to celebrate the importance of food and agriculture as it provides almost everything we eat and use each day. As part of that celebration, Michigan Governor Rick Snyder has proclaimed March 'Food and Agriculture Month'.

"Michigan's food and agriculture businesses are on the grow – generating \$96 billion in total economic activity each year. Food and agriculture are going to continue to be a rock-star industry for the next 10-20 years because

of export opportunities," said Snyder. "As the home to a diverse, dynamic, cutting-edge food and agriculture industry, there is tremendous opportunity for us in research and development, food processing and exports."

"One of our greatest assets is the diversity we have here in Michigan's food and agriculture sector. I'm thankful for this opportunity to honor the role they play in providing us with a safe and abundant food supply, as well as providing a strong economic foundation for Michigan's comeback," said Jamie Clover Adams, Michigan Department of Agriculture and Rural Development director. "As the nation's second most agriculturally diverse state, Michigan offers tremendous business and career opportunities. From veterinarians to starting your own food-based company, the possibilities are endless."

"Michigan is fortunate to enjoy more than 300 food and agricultural commodities produced on 52,194 farms," said Laura Moser, president of the Michigan Ag Council and communications manager for the Michigan Milk Producers Association. "These safe, delicious and high quality Michigan foods we prepare for our families are grown and raised by hardworking farmers in our communities."

MICHIGAN FOOD AND AGRICULTURE FACTS:

- Michigan farmers produce more than 300 different agricultural commodities and ranks fourth in

the nation for farmers markets. It is also home to 101 wineries and dozens of micro-breweries.

- Agriculture, food processors, and related businesses employ 923,000 Michiganders—22 percent of the state's workforce.
- Michigan leads the nation in the production of 17 commodities, including tart cherries, blueberries, three kinds of dry beans (black, cranberry and small red), 11 floriculture products (including begonias, geraniums, petunias and impatiens), and pickling cucumbers. Michigan also ranks in the top 10 for 40 other commodities.
- Michigan has nearly 10 million acres of farmland, and is home to 52,194 farms.
- Michigan exports about one-third of its agricultural commodities each year, generating nearly \$3.2 billion. Over 60 percent of all Michigan's agricultural exports go directly to Canada, our number one export market. Rounding out the top countries eager for Michigan-grown products are Mexico, Japan, Korea, and China.
- Michigan is home to approximately 2,000 licensed food processors, employing more than 130,000 residents and generating nearly \$25 billion in economic activity, making the state 19th in the nation for food processing. ■



Summary of Relevant Provisions for SNAP Retailers

After more than two years of work, Congress recently passed and President Obama has signed a comprehensive Farm Bill. The newly-enacted legislation contains several provisions that impose additional obligations on retailers that redeem Supplemental Nutrition Assistance Program (SNAP) benefits. This article summarizes these provisions, and provides guidance to current and prospective SNAP retailers on how they can begin planning to comply with these additional obligations.

TECHNOLOGICAL MANDATES

- **Preventing sales of ineligible items:** The Farm Bill requires SNAP retailers to implement point-of-sale technology systems that will (1) not redeem SNAP benefits for the purchase of ineligible items, and (2) will further preclude cashiers from manually overriding this prohibition.
- **Guidance for SNAP retailers:** As a practical matter, a majority of convenience store operators already have such systems in place. For those that do not, they will eventually need to upgrade their systems, although this provision does not become effective until the Department of Agriculture (USDA) issues regulations implementing it. These regulations – which will likely contain more precise specifications for compliant point-of-sale technology systems – will not be issued for at least several months.

DEPTH-OF-STOCK MANDATES

Increased Variety: The Farm Bill requires SNAP retailers to stock at least seven different “varieties” of food items in each of the four “staple food” categories on a “continuous basis.” Current USDA regulations (pre-dating the Farm Bill) require SNAP retailers to stock at least three different items in each staple food category on a continuous basis.

- The four staple food categories are:
 1. Meat, poultry, or fish
 2. Bread or cereals
 3. Vegetables or fruits
 4. Dairy products
- To stock food on a “continuous basis,” USDA regulations pre-dating the Farm Bill stipulate that the SNAP retailer must, on any given day of operation, offer for sale and normally display an item in a public area.
- Different “varieties” means, pursuant to USDA regulations pre-dating the Farm Bill, different types of foods (such as apples, cabbage, tomatoes, and squash in the fruit or vegetable category, or milk, cheese, butter, and yogurt in the dairy category), rather than different brands, nutrient values, or packaging.

PERISHABLE GOODS

The Farm Bill requires SNAP retailers to stock at least one “perishable” food item in at least three of the four staple food categories. Current federal statutory law (pre-dating the Farm Bill) requires SNAP retailers to stock at least one

perishable food item in at least two of the four staple food categories. o “Perishable” foods are items which are either frozen staple food items or fresh, unrefrigerated or refrigerated staple food items that will spoil, or suffer significant deterioration in quality within 2-3 weeks.

GUIDANCE FOR SNAP RETAILERS

- At the present time, it is unclear when these depth-of-stock provisions will take effect. Thus, at the moment, there is substantial uncertainty regarding the effective date for the Farm Bill’s depth-of-stock provisions.
- It is possible that USDA will need to issue updated regulations before the provisions take effect, which will take at least several months. Updated regulations are more likely to be necessary with regard to the increased variety requirement, since the provision in the Farm Bill requiring a variety of seven different items is in conflict with USDA regulations currently on the books requiring a variety of just three different items. (Such a conflict does not exist with regard to the perishable goods requirement, which is grounded in federal statute rather than USDA regulations.)
 - Although much uncertainty remains regarding the date on which SNAP retailers will be required to comply with them, any current or prospective SNAP retailer should promptly begin planning to comply with the Farm Bill’s new depth-of-stock requirements. ■



Final SNAP Staggered Issuance Schedule for Ohio

Changes are coming to the benefit issuance dates for Ohio's Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps). Starting on April 1, 2014, the Ohio Department of Job and Family Services (ODJFS) will assign all new SNAP recipients an issuance date that falls sometime during the first 20 days of the month. This will replace the current system, in which county departments of job and family services set issuance dates sometime during the first 10 days of the month.

ODJFS worked with the Ohio Grocers Association, members of the Ohio General Assembly and several interested parties to make this change, based on feedback from both businesses and recipients.

BENEFITS FOR OHIO'S RETAIL MERCHANTS

- Ohio grocers will be able to schedule employee work shifts more evenly throughout each month.
- Ohio grocers will be able to maintain more consistent inventories of food throughout each month.

WHAT THIS MEANS FOR RECIPIENTS

- Current recipients will notice no change. They will continue to receive benefits according to their existing schedules.
- The new insurance schedule will affect only the following groups of people:
 1. New recipients
 2. Recipients who experience a one-day or more break in eligibility because of a failure to take a required action
 3. Recipients who move from one county to another:
- The new issuance schedule for the above individuals is:

Last Digit of Case #	Issuance Date
0	2 nd
1	4 th
2	6 th
3	8 th
4	10 th
5	12 th
6	14 th
7	16 th
8	18 th
9	20 th

- New Ohio Direction Card holders will be notified of their issuance dates when their eligibility and benefits are approved. In addition, all cardholders can call the Ohio Direction Card customer service number 6 days prior to the first of each month to find out when their benefits will become available. ■

CVS Caremark to Stop Selling Tobacco Products

CVS Caremark will stop selling cigarettes and other tobacco products at its more than 7,600 CVS/pharmacy stores across the U.S. by October 1, 2014, making CVS/pharmacy the first national pharmacy chain to take this step.

"Ending the sale of cigarettes and tobacco products at CVS/pharmacy is the right thing for us to do for our customers and our company to help people on their path to better health,"

said Larry Merlo, president and chief executive officer of CVS Caremark. "Put simply, the sale of tobacco products is inconsistent with our purpose," he said.

The company estimates that it will lose approximately \$2 billion in revenues on an annual basis from the tobacco shopper. CVS has identified incremental opportunities that are expected to offset the profitability impact. ■

Hot-Fuel Claims Dismissed Against 15 Companies

■ CSNEWS ONLINE

A hot-fuel lawsuit dating back to 2007 could be winding down as several plaintiffs agreed to dismiss claims against 15 companies.

The issue behind hot fuel refers to when diesel and gasoline are sold warmer than the standard 60 degrees Fahrenheit. While fuel temperature is compensated for at all points of the refining and wholesale fuel process, it's not at the retail pump. When fuel is warmer than the standard, it expands, giving consumers less energy for the price.

In U.S. District Court in Kansas City, Kansas, plaintiffs' lawyers in 22 cases agreed to dismiss claims against several defendants, including 7-Eleven Inc., Circle K Stores, QuikTrip and Pilot Travel Centers.

Several larger retailers have already reached settlements in their cases in April 2012.

The retailers' 2012 agreements came less than two weeks after it was revealed that BP Products North America Inc., as well as ConocoPhillips Inc. and Shell Oil Products US had reached a settlement over the legal action.

However, a federal jury in Kansas City, Kansas, also ruled in favor of several companies in 2012.

Tristan L. Duncan, a Kansas City lawyer who represented the companies whose cases were recently dismissed, said in a prepared statement that the 15 companies "are looking forward to putting these lawsuits behind them." The cases were dismissed without any form of settlement, she said.

Lawyers for the plaintiffs didn't return calls seeking comment. ■



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AFPD Foundation Building Relationships Through Business

Help make a difference
in a young student's life.

■ BY KRIS HARRIS

The AFPD Foundation, established in 1999 as the philanthropic arm of the independent retailers association, offers a prime opportunity to build strong relationships with customers.

"Loyalty is key in any relationship building," said Auday Arabo, AFPD's president and CEO. "The AFPD Foundation, through the scholarship program, allows our members to give a substantial gift to a customer at no cost to them, which creates loyalty and customer appreciation."

Members can promote the scholarship program at their place of business by encouraging customers and employees to apply.

The AFPD Foundation is dedicated to providing scholarships and promoting education through the food, beverage and petroleum industry.

Each year the AFPD Foundation awards \$1,500 academic scholarships to extraordinary and deserving students from Michigan and Ohio who are at or plan to attend an accredited college or university, public or private.

"We are very proud of and thankful to our sponsors and constituents, who have continued to give generously to this important program. They truly make a difference, and together we help to improve our youth's chances at success," said Arabo.

Last year, 34 students received scholarships and are attending a wide-variety of schools. Michigan schools include the University of Detroit, University of Michigan, Michigan State, Wayne State, Oakland University, Kettering, Central, Western, Eastern, Grand Valley State, Saginaw Valley State, Northern Michigan, Washtenaw Community College and Baker College

Culinary Institute. Ohio schools include the University of Dayton, Ohio Northern and the University of Akron. Some winners have opted for out-of-state schools, such as Brown University, Saint Mary's College, Kentucky State, Boston College and even Grand Canyon University.

Submitted through Value Fresh Marketplace, Briana Byrd, a sophomore at Michigan State University, was awarded her scholarship sponsorship by the Frank G. Arcori Foundation. She is a pre-med student who volunteers at the Red Cross blood drives and the MSU Student Food Bank. While at Warren Mott High School, she was a member of the National Honor Society and the yearbook staff.

The Arcori family puts great value on the AFPD Foundation Scholarship program.

"We are constantly inundated with so many great causes, but in our opinion, there is no greater joy than supporting the younger generation," said Angel Arcori Thomas of the Frank Arcori Foundation. "We are all dealt cards from the time we are born, but some of our hands are better than others. It's what we do with our cards that make us successful or not.

"Supporting young students who are on the right path is the most rewarding cause because their choices, up to this point, merit the financial support. It is our hope they can continue to do the best with the cards they are dealt."

Last year, Blue Cross Blue Shield of Michigan (BCBSM) and Blue Care Network (BCN) sponsored five students whose applications were submitted through a variety of businesses, including Hereen Brothers, Mid Joy Market, Five Start Market, Madison Heights Save-A-Lot and Victory Liquor Food. The students include Sarah Burgess and Amelia Waters at U of M, Courtney Holbrook at Washtenaw Community College, Kelsey Spoelman at Grand Valley State and Brandi Stephens at MSU.

"We believe in embracing our local communities and enhancing the quality of life for Michigan residents," said Tiffany Otis-Albert, director of external sales distribution and strategic sales at BCBSM. "We recognize the significance of the Joseph D. Sarafa Scholarship Program in supporting and celebrating the future leaders within the communities in which we work and live.

"It is an honor and a privilege to be affiliated with such a meaningful event, and each year I remain both encouraged and amazed by the depth of intelligence, commitment to serving their community, dedication to excellence and all-around fortitude exhibited by each of the scholarship recipients. We have some superstars in our midst, and it is exciting."

Since its inception, contributions have permitted

AFPD Foundation to distribute more than \$600,000 in scholarship funds to employees and family members of AFPD member businesses, their customers and youth who are in need.

The AFPD Foundation hosts the annual Joseph D. Sarafa Scholarship Luncheon, named in honor of the AFPD's former long-serving president, Joe Sarafa, under whose administration and inspiration the AFPD Foundation was created.

"The scholarship program is the easiest opportunity to give back to the communities which we serve," Thomas said. "I am shocked that store owners don't blast this on the P.A. system in the store. Any shopper has to stop and think, 'Wow -- I don't hear other stores offering my child money for college.'"

A committee of educators recommends scholarship recipients based on their academic merit, participation in extracurricular activities and community involvement while other apply under the need or minority categories as well. The winners from Michigan and from Ohio each receive \$1,500 in aid for the upcoming school year. The AFPD Foundation also participates in industry research and other projects to improve the retail food, beverage and petroleum industries.

Getting the message out to employees is essential to the success of the program.

"The best marketing we have is poster we give out that our members hang up for their employees," said Chris Zebari of Lipari Foods, who encourages retailers to tell their customers about the program, too. "It's extremely important to market the program to the customers."

Like other board members, Zebari looks for opportunities to promote the program.

"I carry a bunch of posters with me, and when I stop at an AFPD member's business, I put it on their wall to get the word out," he said. "There were over a thousand applicants for the scholarships last year, so that tells me that a lot of people are taking advantage of this program."

Auday Arabo who also serves as Chairman of the AFPD Foundation, said the AFPD Foundation is grateful for donations made by members and friends. You can help through financial contributions towards the AFPD Foundation fundraising activities or volunteering your services to the Foundation's education, charitable and humanitarian projects.

If you would like to help provide support to the AFPD foundation, make out a check to AFPD Foundation and send it to: AFPD, 5779 West Maple Road, West Bloomfield, MI 48322. The foundation is a 501(c)(3) non-profit organization, and donations are tax deductible. ■

Kris Harris is a writer for Denha Media & Communications.

How Do You Market the Scholarship Program to Your Employees and Customers?

"We promote the program, primarily, through word of mouth to our employees and customers"

CHRIS KERBER

CD's Quik Mart, Hopkins, MI

"The best marketing we have is calendar that is made available to the members"

CHRIS ZEBARI

Lipari Foods, Warren, MI

"We post the materials in store and use it to help spread the word"

ALEX ROGALLA

Orchard Markets, Fruitport, MI

"The posting of the materials really works for us and word of mouth as well"

BILL IBRAHIM

Cy's Food Center #1, Warren, MI

"We have the materials from AFPD that we put up and I know my customers, so I tell them about too"

TONY JARJOSA

Mid Joy Market, Livonia, MI

"I hung up the material in the office of the firm and handed them out to make sure everyone knew about it"

JASON ALKAMANO

Alkamano CPA, Farmington Hills, MI

"We promote it by advising our employees, putting up the posters and asking them if they'd like to take advantage of it"

JIM BELLANCA, JR.

Bellanca LaBarge, Harper Woods, MI

"We promote the program in our newsletter, we post the material and through word of mouth we kind-of know who's kids are getting ready to go to college"

MICHAEL RECKER

Kar's Nuts, Madison Heights, MI

"We rely on word of mouth as well as the materials that AFPD provides"

AUGREEN KALASHO

Miller's Party Store, Warren, MI

"I saw the information in the e-newsletter and get the information out by word of mouth"

UMESH PATEL

Audrey's Deli, Parma, OH



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Family Owned Business in Frank's Food Mart

■ BY TOMMY FRANZ

For more than four decades, Frank's Food Mart—formerly known as M9 Party Store—has been serving the Eaton County community of Pottersville as a one-stop spot for convenience store goods, gas service and its locally renowned pizza.

Jim Cicorelli now owns Frank's Food Mart, which is named after his father, who launched the store with his wife in 1967. Cicorelli's grandparents on his mother's side also were self-employed in the grocery business, so the philosophy of entrepreneurship was instilled in him since his youth.

Cicorelli worked side-by-side with his parents until they retired in the mid-1980s, and he has been the store's proprietor ever since. He also operates two restaurants in mid-Michigan, which is part of the reason for the success of the pizza at his market.

"We're probably more famously known for our deep dish pan pizza by the slice, along with our cheese breadsticks," Cicorelli said. "We started the pizza back in 1979 and have been doing it ever since. We sell a lot of pizzas by the slice, about 300-400 slices a day,"

Besides luring customers with his pizza, Cicorelli said, customer service and safety are two other aspects that have been critical to the market's success.

"Customer service is what we try to focus on. We preach that any individual can buy a pop anywhere else, and it's probably going to be the same temperature



and within 10 cents of price," he said. "The only difference is how the customer gets treated and our presentation of a clean and friendly and safe environment. We try to keep things fresh, up to date and well-lit with security cameras for safety."

As a 47 year member of the AFPD, Frank's Food Mart has reaped benefits from its membership, he said.

"They're very instrumental in trying to partner with vendors in trying to get better protection on pricing in as many ways as they can," Cicorelli said.

"AFPD also helps us get insurance coverage for business liability, liquor liability and workers compensation. They help in other ways, too. They fought to help us get liquor sales on Sundays when those weren't permitted back in the 1970s, and they changed the law where we now pay the same price on liquor as restaurants do. Restaurants were buying liquor cheaper than our stores for over 30 years."

Being a part of the community for so long, Frank's has forged a great relationship with Pottersville over the years, Cicorelli said.

"Part of our philosophy is being involved with the community," he said. "It's a partnership, and our goal is to help the schools, the churches, the civic groups as much as possible. We know that if we can help them they'll support us in return," Cicorelli said. "And it's just good to give back to the community." ■

Tommy Franz is a writer for Denha Media & Communications.

RETAILER: FRANK'S FOOD MART

Location: Pottersville, Michigan

Founded: 1967

Employees: 16

AFPD member since: 1974



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Still on Course

Ohio operations headed in the right direction with Ron Milburn

Ron Milburn and his wife Linda will be celebrating 56 years of marriage this April. When he is not with his five children, 14 grandchildren and three great grandchildren, he is out on the golf course — when the weather permits.

Although he has twice before retired, he has no plans to trade in his fuel tanker to ride a golf cart full time any time soon. In fact, Milburn is coming off a 2013 with several successes to tout. Working with colleagues in Ohio, the AFPD successfully fixed the Ohio Commercial Activity Tax (CAT) that leveled the playing field. Prior they paid a tax on their gross receipts at three different levels of distribution of gasoline.

“This was truly a major victory” said Milburn. “We saved the average petroleum dealer \$10,000 to \$12,000 a year and some \$60,000, \$70,000 or up to \$80,000 a year. It was a tremendous accomplishment. We had to go up against major oil companies with strength, money and several attorneys in their home state.”

It wasn't the only victory for the year. AFPD with Milburn's lead, and help from AFPD Board member Paul Elhindi, AFPD took on the Ohio Environmental Protection Agency (EPA) to once again level the playing field. “Big Box stores were exempt from certain environmental standards when remodeling former gas stations but independents were not. AFPD challenged the EPA until they allowed independents to follow the same standards.

After graduating from Jackson High School in 1957 where he played football, Milburn was not thinking about getting into the petroleum business. He landed a job in an accounting firm whose clients were mostly gas station owners. “I took a look at those profit and loss statements and thought I should buy a station” said Milburn.

Milburn also spent 13 years in the Ohio National Guard and was a Chief Warrant Officer when he left.

Ron was the President of the Central Ohio Gasoline Dealers Association and was part of the merger with the Cleveland, Ohio association (COGDA). In 1987 we renamed the association and became known as the Independent Service Station and Automotive Repair Association of Ohio (ISSARA). In 1992 he became



an officer of the Ohio Petroleum Retailers and Repair Association (OPRRA).

During his tenure as an Independent Shell Retailer, he became the President of the National Shell Dealer Council.

After 23 years as owner and operator of the number one Shell Station in Ohio and the fifth largest in the Country, Milburn started working with the trade industry in Ohio prior to its merger with the Michigan Petroleum Association. “The business had changed and I knew it was time to sell the business and retire.”

During the time that he owned and operated his Shell Station, he was chosen seven times as the number one outstanding retailer in Ohio.

He worked with his son for a short stint at his in-door golf center — Tee'd Up Indoor Golf. Then retired, again.

He did not stay in retirement long, however. The Ohio Association representing gasoline owners called him to work for them. “I knew the industry well and was charged with growing membership and then moved into the legislative side” said Milburn.

In August 2004, Milburn began working for AFPD as the Director of Ohio Operations. He still enjoys coming to work every day. “We are currently working on the Ohio Lottery because retailers have not seen an increase in their commissions since 1990s,” said Milburn. “I can relate to the board members because I used to be an independent retailer just like them and the staff at AFPD is truly dedicated to their jobs and protecting our industry. They care about the members and their issues. It truly is a very enjoyable job.

At the end of the day, it is still all about family.

“I give my wife Linda a lot of credit because she is a large reason for the success that we had in the retail gasoline business, and now she is very dedicated in her position with AFPD and in helping AFPD members solve their problems.” ■

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INCREMENTAL GROWTH REBATE PROMO for non-cigarette/non-tobacco.

- 5% increase in units receives a .50% additional rebate
- 10% increase in units receives a 1.00% additional rebate
- 15% increase in units receives a 1.50% additional rebate
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This rebate for incremental growth is only for customers purchasing north of \$4k per week as of 12/31/14 (take last 13wks avg purchases of 2014 to validate).

Promotions are **IN ADDITION TO THE 2% REBATE** already being tracked for current AFPD members!

These programs valid 1/1/14 through 12/31/14 ONLY.

* **REBATES ARE APPLIED TO INCREMENTAL SALES (2014 over 2013) ONLY.** Please see your Liberty USA representative for all qualification details & other program information.



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A Fast and Furious Future

■ BY KRIS HARRIS

The AFPD Foundation has been helping association members and serving the community by offering more than \$600,000 in academic scholarships to students in Michigan and Ohio since its inception.

Among the many recipients is Michael Atchoo, the son of Ken and Mary Ann Atchoo, who own McK's Wine Shoppe in Garden City.

Michael's scholarship has taken him across the country to Stanford University in California, where is majoring in bio-mechanical engineering.

"I started to take some bio-oriented courses in college and then became really fascinated in engineering and how you can basically take anything around you and model it into an equation," Michael said.

When Michael's not in the classroom, he's shining as a track star. Last year, he set a school indoor record by clocking a mile at 3:57.14 minutes.

"I didn't realize that I had broken the record when I had run that time," Michael said. "I was just trying to compete and have a really good race, and the time came with it,".

Even though his performance has been turning heads on the running track, his parents have many reasons to take pride in him.

"What I'm most proud about is that he's such a good person," said Mary Ann. "I'm proud of the man he's become and that, no matter what's he's done on the track or off the track, he really puts his heart and soul into it."

Exactly what kind of impact can an AFPD scholarship have on the students who receive them? In Michael's case, it can make a dream come true.

"The scholarship has helped me tremendously," he said. "Before my senior year of high school, I never considered going to school out of state. But when I visited Stanford, I fell in love with it. However, Stanford is not a very cheap school, but having the AFPD scholarship really helped make it a reality."

AFPD's efforts to make sure its members are aware



of the scholarship are important to the program's success. According to Michael's father, Ken, the process couldn't be easier.

"AFPD sends out all the forms to the members, and really it's a simple process," Ken said. "Michael filled out the application, submitted it, and he won. Actually, he won two years in a row."

For anyone who might be on the fence about applying, Michael makes it clear that it's worth every penny. "I would say you should definitely apply. Being in school is very rewarding, and I'm not the same person because of it. There's really no reason not to apply," said Michael.

The scholarships the students receive provide increased opportunities for young people. Many attend in-state colleges and universities, while others, like Michael, have found their place in schools on the other side of the country. The AFPD's scholarship program is about making a difference in people's lives, and Michael is proof that it really works. ■

Kris Harris is a writer for Denha Media & Communications.

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CAN WATCH
THEIR HAND
BEING DEALT
IN YOUR
STORE!**

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AVAILABLE AT PARTICIPATING RETAILERS ONLY. Odds of winning an Instant prize: \$2: 1 in 8; \$3: 1 in 22; \$5: 1 in 48; \$20: 1 in 255; \$50: 1 in 509; \$75: 1 in 695; \$150: 1 in 4,165; \$500: 1 in 72,194; \$5,000: 1 in 649,740. Odds of winning a Drawing prize: \$3: 1 in 17; \$25: 1 in 241; \$500: 1 in 11,060; \$100,000: 1 in 2,598,960. Overall odds of winning: 1 in 4. If you bet more than you can afford to lose, you've got a problem. Call 1-800-270-7117 for confidential help.



michigan lottery

M. SCOTT BOWEN // MICHIGAN LOTTERY COMMISSIONER

Early Sales Show Michigan Lottery's First \$30 Instant Game is a Hit with Players

The Michigan Lottery launched its first \$30 instant game – \$2,000,000 Cash – in February and as you've probably seen in your stores, it's a hit with players.

The strong sales for the first few weeks of this game make it one of our most successful instant game launches ever. Those sales also reflect the recent trend of players gravitating toward higher price points for instant games.

Many players like the \$10 and \$20 instant games because they offer the best overall odds, larger top prizes, and multiple chances to win. The strong response we're seeing to the \$2,000,000 Cash game shows that this preference holds true for our first \$30 game and that players are excited about the chance to win \$2 million.

Players like to win and they are winning big with \$2,000,000 Cash. More than \$7 million in prizes were awarded in the first two weeks of the game. Nearly 120,000 winning tickets have been purchased, including more than 13,000 tickets with prizes of \$200.

Offering players a \$30 instant ticket was part of the Michigan Lottery's ongoing process of changing and evolving to meet the demands of its players and stay competitive in the entertainment marketplace.

The strong player response to date indicates this \$30 instant game will be a winner for retailers and the Lottery.

SPRING EVENT SCHEDULE

The Michigan Lottery's mobile retail outlet (MRO) is emerging from its winter hibernation to spread the Lottery excitement across the state! The MRO will make its spring debut at the Detroit Tigers game at Comerica Park in downtown Detroit on Opening Day, March 31, 2014. Be sure share this with all Michigan Lottery and Tigers fans so they can stop by to get in on the Lottery action and fun.

About 97 cents of every dollar spent on Lottery tickets is returned to the state in the form of contributions to the state School Aid Fund, prizes to players and commissions to retailers. In fiscal year 2013, the contribution to schools totaled \$734.3 million. Since its inception in 1972, the Lottery has contributed over \$18 billion to Michigan's public education.

For additional information, please visit the Lottery's Web site at www.michiganlottery.com. ■

INSTANT TICKETS

NEW INSTANT TICKETS

March 4, 2014:

- Electric 8's \$2 (IG # 666)
- Cash Multiplier \$5 (IG # 660)
- \$500,000 Cashword \$10 (IG # 682)

INSTANT TICKETS SET TO EXPIRE

March 3, 2014

- Win It All \$2 (IG # 610)
- Cashword \$2 (IG # 622)

NEW PULL TAB TICKETS

March 3, 2014:

- Triple Diamonds .50¢ (MI # 520)
- Bar Game Series .50¢ (MI # 524)

PULL TAB TICKETS SET TO EXPIRE

March 5, 2014

- First To Finish \$1 (MI # 579)

March 31, 2014

- Buck Hunter .50¢ (MI # 587)
- Card Sharks .50¢ (MI # 590)

TICKET ACTIVATION

Retailers are reminded to always activate all game tickets before putting them on sale to ensure winning tickets can be redeemed by players.



"The Michigan Lottery. All across the state good things happen."

On Sale Feb 10

Drawing April 15, 2014

\$10

**\$40,000
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**ONE \$40,000 PRIZE TO BE AWARDED
FOR EVERY 30,000 TICKETS SOLD!**

Plus for every 10,000 tickets sold:

17 prizes of \$100 ★ 616 prizes of \$50 ★ 1,033 prizes of \$15

1 IN 6 TICKETS WINS*

ALL of the \$15, \$50 and \$100 prizes can be redeemed in-store!
That means lots of happy players and lots of cashing commissions for retailers!
Tickets cost \$10 each, so retailers will also earn \$0.60 on every ticket sold.
And there is no limit to the number of tickets that can be sold –
the more tickets you sell, the more you will earn.

HAPPY TAX DAY!

The drawing will take place on April 15, 2014 – no exceptions!
The total number of prizes will be awarded based on the total
number of tickets sold. Winning numbers will be posted online
at michiganlottery.com the day of the drawing.

The number of prizes grows and grows!
Sold only in Michigan

*Odds of winning depend on the total number of tickets sold through April 14, 2014. There will be one \$40,000 prize for every 30,000 tickets sold. There will be 17 prizes of \$100, 616 prizes of \$50, and 1,033 prizes of \$15 for every 10,000 tickets sold. If you bet more than you can afford to lose, you've got a problem. Call 1-800-270-7117 for confidential help.

\$40,000 winning ticket holders will receive a net prize amount. To arrive at the net prize value, the Lottery will hold and deposit on behalf of each prize winner the required state and federal income taxes on the gross prize. The federal income tax rate is subject to change and will be determined at the same time a prize winner files their claim. The Lottery is not responsible for additional taxes in excess of the amount withheld by the Lottery that may be due when a prize winner files all tax returns for the year the prize is claimed.





ohio lobbyist report

TERRY FLEMING // TC FLEMING & ASSOCIATES

AFPD Lobbying Efforts in 2014

As expected the Ohio General Assembly has gotten off to a slow start, but AFPD is monitoring a number of bills. HCR 32 which will declare first week of July 2014, "Independent Retailers Week" is awaiting final passage by Ohio Senate, which should happen shortly. AFPD drafted and is lobbying for passage of this resolution recognizing our wonderful members. Later this year, we will seek to pass an additional bill making the first week of July "Independent Retailers Week" permanently. The House has passed SB 243, which would declare three days in August tax free days for purchase of back to school items, clothing, school supplies, computers and computer accessories and is awaiting action in the Senate. The Senate has also passed SB 23 which would require the state to notify businesses of tax overpayment and to rapidly refund said businesses.

LOTTERY COMMISSIONS

AFPD is also working with State Representative Anne Gonzales to increase the amount Lottery Agents will receive on commissions. There has been no increase since the 1990's. Gonzales has spoken to Governor's office and is looking at options to implement a small increase. The Governor's office is putting together a committee to look at infrastructure needs of Ohio's Highways and Bridges and how to fund needed repairs. This committee must report back to General Assembly by January 2015. AFPD is hoping to have a representative on this committee as gas tax will be major point of discussion among other options for funding.

SEVERANCE TAX

The hot topic now is HB 375 which addresses severance tax increase on oil and gas production in Ohio. This has been a sore subject between industry and the Governor's office for last two years. At question is the

Reviewed As To Form By Legislative Service Commission	LSC 130 1457-1
130th General Assembly Regular Session 2013-2014	H. C. R. No.

CONCURRENT RESOLUTION

To designate a week in July 2014 as Independent
Retailers Week.

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE
OF OHIO (THE SENATE CONCURRING):**

WHEREAS, The greatness of the United States lies in the opportunities it provides to the dreamer in all of us; and	1 2
WHEREAS, Independent retailers, being entrepreneurs who pursue a dream and assume the risk of business, create jobs, and keep alive the dream of business ownership; and	3 4 5 6 7
WHEREAS, Many large retailers in the United States began as independent, family-owned businesses; and	8 9
WHEREAS, The General Assembly intends to encourage entrepreneurship in the United States; and	10 11
WHEREAS, It is fitting to celebrate independent retailers during the period when the United States celebrates its independence; now therefore be it	12 13 14
RESOLVED, That Monday, June 30, through Sunday, July 6, in 2014 is designated Independent Retailers Week; and be it further	15 16
RESOLVED, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the news media of Ohio.	17 18 19

size of the tax and where the money should go. The legislature will be in session until the end of March and then most likely will take off the month of April so members can campaign prior to the May primary elections. All 99 House Seats are up for election and 17 Senate seats along with all five statewide offices.

PETROLEUM TAX

The Ohio Department of Taxation continues to work on rules implementing new Petroleum tax in place of CAT, beginning July 1, 2014. AFPD is working with Tax on these rules to make certain that they meet the legislative intent of doing away with commercial activities tax.

BANNING E-CIGARETTE SALES TO MINORS

The Ohio General Assembly passed and sent to Governor HB144 prohibiting minors to purchase of use E-Cigarettes or other tobacco products, which AFPD supported. The Governor will sign the bill and it will become effective sometime in May 2014. It will require ID checks to be checked on e-cigarettes and those under 18 years of age are prohibited from purchasing these products. ■



Growlers Help Businesses Grow

There have been a number of changes in Ohio liquor law over the past couple of years that have eased or eliminated restrictions that hampered retail license holders. Part of our mission at the Division of Liquor Control is to provide resources to help our stakeholders understand and successfully navigate new regulations. We are about compliance and providing the tools necessary for businesses to grow and create jobs.

One issue that many retail license holders all over Ohio are learning about and using to further their business is the sale of “growlers.” Selling growlers is a great way to bring in new customers, promote new products, and create more repeat customers. Most of the 105 Ohio craft breweries sell growlers at their facilities and many of those brands are also sold in growlers by retail businesses. It’s our job to make sure you know the regulations and how to do this correctly.

By industry definition, “growlers” are simply a glass jug containing draft beer for carry out. Customers pay a small up-front price for the jug in addition to the cost for the draft beer inside and take it home. The same container can then be returned for refills. The problem lies in what type of permit is needed in order to sell growlers.

The first thing to remember is that only beer can be sold in a growler. Holders of any D-class permit that allows carry out sales of beer can sell growlers to go. Beer manufacturers (A-1 permit holders) and now craft breweries (A-1c permit holders) can also sell growlers. Growlers sold by these permit holders cannot be larger than five and one-sixth gallon. The container must also be sealed by the permit holder filling the growler and properly identify the product and/or product manufacturer’s name. When refilling a growler originally purchased from a different manufacturer, it is a best business practice for the permit holder to put a sticker on the container to identify the product being sold. In addition, the proper carry out markup of no

less than 25% must be added to the beer contained in the growler. Those rules apply to growler sales by beer manufacturers and the holders of D-class permits (except for D-8) that are authorized to sell beer for carry out.

In 2012, the law was expanded to allow the holder of a beer carry out license (C-1) to also sell growlers provided that they also hold a tasting sample permit (D-8). To qualify for a tasting sample permit (D-8), the store must have at least 5,500 square feet of floor area and generates more than 60% of its sales in general merchandise items and food for consumption off the premises. Businesses that hold a permit to sell wine for carry out (C-2) in addition to their beer carry out permit (C-1) can also qualify for a D-8 if wine constitutes at least 60% of the value of the store’s inventory.

The law set specific regulatory criteria to be followed when selling growlers under a C-1/D-8 permit. That criteria is as follows:

- The beer is dispensed only in glass containers whose capacity does not exceed one gallon and is not sold for consumption on the premises.
- The containers have been cleaned immediately before being filled in accordance with rules governing the cleaning and sterilization of beer manufacturing equipment.
- The container is securely sealed by the permit holder or an employee of the permit holder before the container is removed from the premises. The container must be secured in such a manner that it is visibly apparent if the bottle has been subsequently opened or tampered with.
- The container is stored in the trunk of a motor vehicle or, if the motor vehicle does not have a trunk, behind the last upright seat or in an area not normally occupied by the driver or passengers and not easily accessible by the driver.
- The proper beer carry out minimum mark up of no less than 25% is added to the cost of the beer contained in the growler.

Business friendly regulations coupled with our commitment to excellent customer service will help the industry create new jobs and keep Ohio moving in the right direction. Please contact the Division at (614) 644-2360 or visit our website at www.com.ohio.gov/liqr with any questions regarding the sale of growlers or other issues. ■

Fit or Fad? The Pros and Cons of Juicing

Juicing has become popular in niche markets; especially those attracted to alternative medicine, fad diets, or gourmet foods, due to word-of-mouth, mainstream celebrity marketing, and a heavy Internet presence. Juicing advocates say that juicing can maximize nutrient intake, fight disease, strengthen cellular defense against free radicals, alleviate pain, encourage weight-loss, and decrease the need for medication. Here are the pros and cons of juicing, helpful tips and recipes to juice at home.

PROS OF JUICING

- If you are not big into fruits and vegetables it is a good way to get them in.
- Bottled juices can help you meet daily recommendation servings of fruits and vegetables in one drink.
- Green juices can help boost your immune system and energy.
- Juices high in dietary fiber and protein satisfy you and make you feel full.
- Juicing makes it easy to get antioxidants and vitamins while maintaining the relatively low calorie content, if the right ingredients are used.

CONS OF JUICING

- The “cleansing” reputation juicing may be a fad. The liver and kidneys do the job. Juice “cleansing” cannot match the body’s built in devices.
- When juices are processed the skin, dietary fiber and many of fruits and vegetables nutrients are removed.
- Juicing should not count as your sole source of fruits and vegetables.
- Fruit juices contain a high amount of sugar, calories and may be more pro-inflammatory than anti-inflammatory.
- Juices with a long shelf life are not going to be as nutrient-loaded.

JUICY JUICING TIPS

- Home juicing is best - you can control what goes in and it is guaranteed to be fresher.
- Watering down bottled juices can help lower sugar intake.
- Juicing should be a supplement to your diet, not replace it entirely.
- For the freshest choices, expiration dates should be no more than 2 weeks.
- Look for juices with a 3 to 1 vegetable to fruit ratio to cut down on sugar.



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Final Regulations Released on Employer Shared Responsibility Requirements for 2015 and Beyond

On February 10, 2014, the Treasury Department and the Internal Revenue Service released final regulations for the Employer Shared Responsibility provisions (also referred to as the employer mandate) under the Affordable Care Act. These final regulations provide additional transition relief to employers and clarify or confirm guidance that was previously issued.

In general, the employer mandate applies to applicable large employers with 50 or more full-time equivalent employees. However, there is a transition period that will phase in this requirement.

- Starting on January 1, 2015, the employer mandate will apply to applicable large employers with 100 or more full-time equivalent employees. In 2015, the mandated requirements will not apply to employers with fewer than 100 full-time equivalent employees.
- In 2016, the employer shared responsibility provisions will apply to employers with 50 or more full-time equivalent employees.

Q: Is there a phase-in period for the number of employees that must be covered to avoid an assessable payment?

A: Yes. In 2015, an applicable large employer potentially will be subject to a penalty if it does not cover at least 70 percent of its full-time equivalent employees.



In 2016, applicable large employers will be required to cover at least 95 percent of their full-time employees.

Q: Is there a safe harbor for the requirement that employers offer coverage to employees' dependents?

A: Yes. Employers that currently do not offer coverage to dependents (and did not offer coverage to dependents in 2013) are generally permitted to transition to offering such coverage in 2016.

Q: When are these requirements effective?

A: Generally, the requirements are effective beginning on January 1, 2015. For those applicable large employers with non-calendar plan years that begin after January 1, 2015, the final rule includes a safe harbor that generally will make the mandate effective beginning with the first day of their 2015 plan year.

These provisions require that any applicable large employer that, for a calendar month, does not offer its full-time employees health coverage that is affordable and provides minimum value may be subject to the assessable payments

(tax penalty) if a full-time employee enrolls for that month in a qualified health plan (QHP) through an Exchange and receives a premium tax credit.

These requirements were originally effective beginning January 1, 2014, but in July 2013, the assessable payments were delayed by one year.

The information in this document is based on preliminary review of the national health care reform legislation and is not intended to impart legal advice. The federal government continues to issue guidance on how the provisions of national health reform should be interpreted and applied. The impact of these reforms on individual situations may vary. This overview is intended as an educational tool only and does not replace a more rigorous review of the law's applicability to individual circumstances and attendant legal counsel and should not be relied upon as legal or compliance advice. As required by US Treasury Regulations, we also inform you that any tax information contained in this communication is not intended to be used and cannot be used by any taxpayer to avoid penalties under the Internal Revenue Code. ■



Food Freshness: What Those Dates Really Mean



Here a rundown on the dates you find on food labels and what those dates mean, according to the United States Department of Agriculture.

“PACKED ON”

The following outlines what you can assume based on the “packed on” date:

- This refers to the date the food was packaged.
- It doesn't indicate the date the food was picked in the case of fruits and vegetables, or processed in the case of other food.
- Frozen foods are best used within two months of a pack date.
- Canned foods should be used within a year of the pack date.

“BEST IF USED BY” OR “USE BY”

This is the last date the product will have the highest quality. In most cases, however, it can be safely consumed past that date. For example, if the date is on a box of cereal or a bag of rice, eating the product after the date won't hurt you, but the taste may suffer.

“SELL BY”

What you can tell by reading the “sell by” date includes:

- This is the last date the product should be sold. It's also the “pull” date, after which the product should be taken off the store shelf.
- These dates are found on breads, dairy products, cold cuts, and fresh fruit juices.
- Most foods that are past their sell-by date can still be safely eaten after this date. For example, milk stays fresh for about a week after the sell-by date if properly refrigerated. Fresh fish, meat, and poultry should be eaten within a day or two past the sell-by date, or it can be frozen.

“EXPIRATION,” “EXP” OR “NOT TO BE SOLD AFTER”

The following outlines what you can assume based on the “expiration” date or “not to be sold after” date:

- This is the last date the food is safe to eat.

- These dates are often found on yeast, dairy products, and baby formula.
- Eggs are an exception and may be used safely for a month after the expiration date if they have been refrigerated properly.

DATES WITH NO QUALIFIER

Dates on food products that don't indicate they refer to any of the categories above usually refer to a sell-by date.

SAFETY AND QUALITY CONCERNS

Pay close attention to the following:

- Never eat food from a bulging can, no matter what the date. The food is likely contaminated and you could get food poisoning.
- Put dates on foods you repackage and freeze. Most foods can be safely frozen for months, but the quality and flavor of meat, fish, and poultry are likely to deteriorate.

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The Training Has Been Completed But...

You have conducted the required training, but your associates are not following the processes covered in the training. Are they deliberately breaking the rules? Don't they understand? Don't they care? Ideally the answers would be no, yes and yes however, there is one more item to consider, human behavior.

Behavior-based safety (BBS) is a topic that has been around for a long time. BBS originated with the work

OHIO SAFETY CONGRESS & EXPO REGISTRATION IS NOW OPEN

This year's theme is finding Your Pathway to Safety. Whether you're a human resources professional, construction worker or small business owner, you can customize OSC14 to fit your needs. Pick and choose what's applicable to your business and make the Pathway to Safety that's best for you.

Registration is now open for the Ohio Bureau of Workers' Compensation (BWC) 2014 Safety Congress and Expo (OSC14), the largest and longest-running occupational safety, health and workers' compensation conference in Ohio. The free, annual event will run March 25-27, 2014 at the Greater Columbus Convention Center and registration is available online at www.ohiobwc.com.

Professionals from any of the fields below should consider attending the 2014 Ohio Safety Congress & Expo:

- Agricultural and green industries;
- Chemical and industrial hygiene;
- Colleges and universities;
- Construction;
- Distribution and logistics;
- Drug-free workplace;
- Emergency medical services and first responders;
- Fire safety;
- Health-care facilities;
- Human resources and safety professionals;
- Manufacturing;
- Occupational health nurses and wellness professionals;
- Oil, gas and mining;
- OSHA compliance;
- Public employers;
- Public schools;
- Rehabilitation and workplace injuries;
- Restaurants and food service establishments;
- Risk management;
- Safety engineers and ergonomists;
- Small business;
- Transportation and roadway safety;
- Utility providers;
- Vision health and safety;
- Wastewater operators and sanitarians;
- Workers' compensation; and,
- Workplace-safety program.

For more information, call (614) 466-7695 or email SafetyCongress@bwc.state.oh.us.



of Herbert William Heinrich. In the 1930s, Heinrich, who worked for Traveler's Insurance Company, reviewed thousands of accident reports completed by supervisors and from these drew the conclusion that most accidents, illnesses and injuries in the workplace were directly attributable to "man-failures", or the unsafe actions of workers. Of the reports Heinrich reviewed, 73% classified the accidents as "man-failures;" Heinrich himself reclassified another 15% into that category, arriving at the still-cited finding that 88% of all accidents, injuries and illnesses were caused by worker errors. Just what does "worker error" mean? In some cases this translated into "blaming the worker", but let's look more closely at this concept.

Have you ever stood on a chair? Was that voice in your head or that "little person on your shoulder" saying "don't stand on this chair, get a stool or ladder?" Most likely you thought about it but reasoned no ladder or stool was easily accessible and the chair was strong, did not have wheels and you would be extra careful. We have all done this using rationalization to justify doing something that we know is not the correct or proper way to do things. Helping your associates understand this behavior and encouraging them to take the extra time to consider the proper way to complete a task will give them "permission" to work safely.

This is not the only answer. In order to ensure training is effective, you, the employer must "give permission" by providing the tools, time and an environment that promotes a safe workplace. Having the right tools means providing the right tools in the right quantity and location that is conducive to their regular use. Providing the time translates into ensuring the work or tasks are not rushed, which is sometimes easier said than done. Proper planning can help prevent a "rushed" or "hurried" atmosphere that

SAFETY SENSE

Continued...

encourages your associate to feel compelled to complete the task or job quickly and that enables them to feel justified in taking shortcuts in order to get the job done in a timely manner.

One more item to consider is promoting the safety of your associate when they are away from work. Safety should be an attitude that is a consideration in all phases of our life, not just at work. Consider discussing this in order for your associates to understand modeling safe behavior for their children, grandchildren and others in their life. Provide personal protective equipment such as hearing or eye protection for use at home or play. Also consider seasonal issues such as reminding associates of the dangers of allowing children to ride on lawn tractors while cutting grass. Too many serious accidents still occur because of this unsafe behavior.

Finally, consider another human behavior, the need to feel included. In a group setting this translates into associates wanting to "fit in" and not being seen as being a "company person." Understand that most are supportive and appreciate the need for working safety, but do not wish to be subject to bullying which unfortunately still can occur in the workplace. This issue varies in the workplace and is important to be mindful of.

For additional compliance assistance, contact RiskControl360° by email at info@riskcontrol360.com or by phone at 1-877-360-3608. ■

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