Bottomhig

MIDWEST INDEPENDENT RETAILERS ASSOCIATION THE VOICE OF MIDWEST INDEPENDENT RETAILERS // VOL. 31, NO. 1 // JANUARY 2020

Legislative Focus for 2020

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APPLY NOW FOR OUR SCHOLARSHIP PROGRAM

The application for Midwest Independent Retailers Foundation (MIRF) scholarship program is now open. Each year MIRF awards academic scholarships worth \$1,500 each to extraordinary students.



MAKING MIRA PROGRAMS WORK FOR YOU

As we kick off a new year it is a perfect time for us to look back at some of the successes our members had with the MIRA distributor programs and MIRA manufacturer programs available through our endorsed C-Store distributors, S, Abraham and Sons, Team Sledd and McAneny Brothers. It's also a great time to highlight some of the new 2020 MIRA programs available to our members.



COVER STORY // LEGISLATIVE FOCUS FOR 2020

The team at Midwest Independent Retailers Association (MIRA) are heading into 2020 reviewing strategies for legislative issues primarily in three states: Michigan, Ohio and Illinois.



president's message

AUDAY P. ARABO, ESQ. // MIRA PRESIDENT & CEO

MIRA Continues its Growth in 2020

appy New Year to you and your family! Like every new year in our industry we welcome in new laws, rules and regulations on the local, state and federal levels. However, I do not recall any new year which has brought so much confusion and concern over the roll out of a new law as we are experiencing right now with the new age restriction on sales of all tobacco items from 18 to 21 years of age. When President Trump signed the appropriations bill on December 20, 2019 many of us knew language was in the bill which would raise the age from 18 to 21, but the bill gave the FDA 180 days to come up with rules and regulations and an additional 90 days to implement those new rules and regulations. What the FDA did without notice a few weeks ago is what has caused this confusion. They decided to make the new age restriction go into effect immediately, which has caused serious confusion at the cash registers with owners, employees and mostly customers! We have taken a proactive approach with the media via TV, radio and print to make sure the general public is aware of the new and major change to the age restriction of tobacco products. The new law is: you must be 21 years of age to use ALL tobacco items and the FDA will be enforcing this new law at the store level. In addition, we just learned that the FDA will ban all flavored refillable vaping products. There is more information on this new regulation in this magazine. As a multi-state trade association MIRA always welcomes uniformity in laws so certain geographies do not have an advantage over another, however notice from the governmental bodies is only reasonable, especially when it comes to such a big issue like the age restriction on tobacco sales and consumption.

As we say goodbye to another year (2019), I would like to reflect on the best membership year MIRA has ever had since 1910, that is 110 years! During my tenure at MIRA, over 11 years now (time really flies by), and due to the support from the MIRA board and execution of the MIRA staff, we changed our association from being supplier based and dependent, to more retail based, retail centered and true to our creation as an independent retailer association. We had a best year of membership in spite of losing Meijer as a member because they did not agree on certain legislation that we were pushing to protect; which was "the half mile rule" in Michigan. This goes to show you, when we stick together with other like-minded independent retailers, suppliers that value independent retailers and even chains that respect all sides of the industry (like Kroger), we will always be ahead versus when everyone tries to go it alone in our industry.

As MIRA continues its growth in 2020 and into the next decade, we desperately need more of you to spread the word about the work we do to others in the retail industry as well as suppliers you work with. There are still TOO MANY retailers and suppliers in our industry who get a free ride for all the work we do to support and protect our industry. Please know our top focus remains to service to our members and that all the events, publications and other endeavors MIRA partakes in subsidizes your membership dues! MIRA is here to educate, advocate and serve you! May God Bless you and your families in 2020!

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mira corner

Apply Now for Our Scholarship Program

The application for Midwest Independent Retailers Foundation (MIRF) scholarship program is now open. Each year MIRF awards academic scholarships worth \$1,500 each to extraordinary students.

Each year the MIR Foundation awards \$1,500 academic scholarships to extraordinary and deserving students who will or are attending an accredited public and private college or university. We are very proud of and thankful to our sponsors and constituents, who have continued to give generously to this important program. You truly make a difference, and together we help to improve our youth's chances at success.

The MIR Foundation is designed to reinforce the importance of education and charitable giving among its member companies and future generations to come because MIRA believes its support for educational growth and the community continues to strengthen the voice for independent food, beverage, and petroleum retailers in the Midwest.

WHO IS ELIGIBLE

Students who qualify include high school seniors, college freshman, sophomores or juniors who are employed by a MIRA member company for at least six months as of January 1st OR whose parent is a full or part-time employee of a MIRA member company for at least one year as of January 1st. Also, a MIRA member customer and their children.

There are four categories for the scholarship: merit, minority, trade and financial need. Applicants must belong to one of the following ethnic groups to qualify for minority status: African-American, Hispanic, Asian, Native American, or Arab/Chaldean American.

SPECIAL RULES

The rules include that only one scholarship will be awarded per MIRA member company. Multiple Merit, Minority Merit, Financial Need Merit and Trade Merit scholarships will be awarded (a minimum of 3) to MIRA member customers. Applicants are eligible to win and receive a scholarship a maximum of two times and all applications must be completed and submitted with transcripts by March 31st to be considered for an academic scholarship.

SELECTION OF WINNERS

Scholarship winners will be chosen by a panel of educators. Winners must enroll as full-time or parttime students for the fall college semester.

The selection criteria includes past academic performance, leadership and participation in school and community activities and college grades are considered.

To ensure complete impartiality in the selection of winners, this scholarship program is administered by International Scholarship and Tuition Services (ISTS), a firm that specializes in the administration of sponsored scholarship programs.

HOW WILL SCHOLARSHIPS BE AWARDED?

Scholarship winners are required to attend the MIR Foundation Scholarship Luncheon where students will receive their scholarship. All winners must RSVP, as non-attendance will be



considered a forfeit of your award.

The awards are a one-time, non-renewable grant in the amount of \$1,500.

Scholarship recipients are responsible for making certain that their scholarships are delivered to their college.

Awards are for undergraduate full or part-time students and can only be used in the academic year they are awarded barring illness, emergency or military service.

WHAT IS THE SCHOLARSHIP TIMELINE?

All applications and support documents must be received by March 31st and applicants should be notified of the selection committee's decision by approximately April 30th.

Apply online at aim.applyists. net/MIRF. Once you have completed step one, you will be able to see the status of your application and/or make any necessary changes. You can return to your application at any time by signing back in and entering your original access key. Your status will show in red print at the top of the page.

mira history

Decades of Industry Centered Advocacy, Growth

From the moment of its inception, MIRA, originally the Detroit Retail Meat Merchants Association, has worked to be a voice for independent retailers

BY ASHOURINA SLEWO // DENHA MEDIA*

Today, the Midwest Independent Retailer's Association (MIRA) is an all-encompassing association focused on being the voice of independent retailers, distributors, gas station owners, and beyond. In 1910, however, the association, then known as the Detroit Retail Meat Merchants Association (DRMMA), found its humble beginnings serving meat and butcher shops in Detroit.

What started as local Detroit butcher shop owners meeting at the end of each month to exchange ideas of concern and interest, snowballed into a full-blown association. By 1916, the DRMMA began collecting dues from members and even hosted their very first convention.

In addition to protecting the interests of their members, the DRMMA promoted a "more efficient cooperation between those engaged in the food industry."

All the while, the association simultaneously focused on disseminating information valuable to the industry. With this focus on providing members with the latest information, it was no surprise when the association's monthly newsletter (created after DRMMA moved into their first office), became a larger scale publication.

The newsletter, The Master Butcher, evolved into a monthly magazine, full of relevant and pertinent information for industry professionals. It was dubbed The Food Dealer. Today, members know the magazine as Bottom Line. The first issue of The Food Dealer was distributed in 1922 and, except for the war years – 1943 through 1945 – has been distributed continuously.

Upon its introduction, members pored over the publication. Members continue to

find the monthly magazine to be a trusted source for all industry related news. Working with its sister association, the Detroit Retail Grocers Association, DRMMA has been lobbying on behalf of its members as early as 1913.

Both associations appeared before a session of the House in 1913 to present resolutions adopted by their boards of directors to protest against the passage of House Resolution No. 101, which would provide for Prohibition in Michigan. Despite their efforts to oppose the legislation, a government Prohibition Proclamation was imposed on operators of stores and would not be lifted for 20 years (Journal of the Michigan House of Representatives, Session of 1913, Lansing, Michigan).

In 1933, the Prohibition Proclamation was lifted, giving way to expansion and growth for retailers throughout the state. As retailers rejoiced, the DRMMA took this time to become stronger, both individually and in their partnerships with other local associations.

These strengthened partnerships would come in handy in 1946 when retailers would have to go up against the Teamsters.

In 1946, hardline Teamster leader James (Jimmy) Hoffa launched a union campaign aimed at completing the capture of the Detroit food industry. Despite the grocers' and butchers' lobbying efforts for government legislation to outlaw coercive organizing tactics by labor unions, Hoffa aggressively targeted Detroit's food industry by launching a secondary boycott campaign.

To fend of these union attacks, the DRMMA and the Detroit Retail Grocers Association called emergency meetings with the Teamsters. Despite their best efforts, the associations were met with continued push back from Hoffa who issued his then lofty demands, which included \$2 monthly dues in addition to the permit fees, a closed shop requiring all new employees to join the union and full compliance with all future Teamster edicts.

Retailers and shop owners, frustrated by the coercion they were facing, continued to push back, rather than succumb to Hoffa's demands. This fight reached a crescendo when unions enforced a blockage at packinghouses and product terminals.

Ultimately, this conflict would reach its end upon Hoffa's arrest on charges for extortion. Despite this arrest, however, Hoffa continued his rampage as he also began harassing Jewish and Polish merchants. The end came when a permanent injunction was issued against the coercive organizing of the Teamsters. Shortly thereafter, Hoffa was indicted for extortion.

During this tumultuous ordeal, the DRMMA's relationship with the Detroit Retail Grocers Association was strengthened, bringing them to a point in their partnership that was only natural.

The two associations merged to form the Associated Food Merchants of Greater Detroit in 1946. The name change allowed the group to establish itself in a new direction from that of a butchers' organization and expand to other areas of the food industry and outside of Detroit. Although the name Associated Food Dealers of Greater Detroit would be suggested in 1948, it was not adopted as the name until 1960.

In 1960, the Associated Food Merchants of Greater Detroit then merged with the Greater Detroit Food Dealers Association, forming the Associated Food Dealers of Greater Detroit (AFD).

*Denha Media writers are content creators for MIRA and the Bottom Line.





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petroleum news & views



EDWARD WEGLARZ // MIRA DIRECTOR, PETROLEUM

New Overtime/Minimum Wage Rules Take Effect January 1, 2020

raditionally, January 1st is the time to start making good on those New Year's resolutions, and unfortunately, it's also a time for new regulations. Small business owners need to be ready for the changes to federal overtime rule that takes effect at the start of 2020.

Here are the main points you need to know: the minimum salary for the overtime exemption will rise from \$23,660 annually to \$35,568 annually. That means you'll have to pay time-and-a-half for executive, administrative, or professional employees who make less than \$35,568 for any work done beyond 40 hours per week.

The Department of Labor estimates that the change affects 1.3 million employees, raising the cost of compensation for the affected businesses. The cost would have been a lot higher had not a lawsuit blocked the Obama administration from raising the overtime threshold salary to \$47,476. The new Trump administration increase was meant to be a compromise.

The full text of the regulation is available at the U.S. Department of Labor website.

The following minimum wage rates go into effect January 1, 2020 in the following states:

- Illinois \$9.25/hour
- Michigan \$9.65/hour
- Ohio \$8.70/hour

One of MIRA's pillars of conduct is Compliance. Be sure you're complying with the appropriate wage rules.

If you do receive any Notice of Violation in any area of your business, please address the issue promptly. Replying promptly shows you care about your business and a desire to comply.



For questions, please contact Kristine Zrinyi at (800) 666-6233 or kzrinyi@miramw.org.



Outstanding Service • Unusual Flexibility Family Owned Traditions and Values Big Business Opportunities • Small Business Service

We flawlessly execute these basics everyday:



MIRA rebate program details:

- Minimum order of \$800, must purchase weekly to qualify.
- We service PA, OH, MD & NY.
- 2% Non-tobacco / non cigarette rebate.
- Plus and extra 1% if purchasing energy supplements
- Plus an additional 2% if purchasing foodservice products
- Plus an additional 2% if purchasing supplies

Customer must purchase these categories to qualify:

- Cigarettes
- Smokeless & other tobacco
- Energy supplements
- Coffee

Subject to pre-qualification by McAneny Brothers



c-store news & views

JIM GREEN // MIRA VICE PRESIDENT, PROGRAM DEVELOPMENT

Making MIRA Programs Work for You

s we kick off a new year it is a perfect time for us to look back at some of the successes our members had with the MIRA distributor programs and MIRA

manufacturer programs available through our endorsed C-Store distributors, S, Abraham and Sons, Team Sledd and McAneny Brothers. It's also a great time to highlight some of the new 2020 MIRA programs available to our members.

In 2019, we MIRA launched three new convenience store distributor programs. For those members participating and buying the required categories to meet the qualifications of the distributor programs, they are averaging approximately \$1,700 annually! Besides the MIRA rebates, these distributors excel in food service and tobacco. They also provide unique solutions that support the independent operator. For example, Team Sledd and S. Abraham and Sons offer the WAM program. This program pays retailers to sell product from key candy and snack manufacturers. A retailer can easily earn \$600 to \$800 per year by participating in the Hostess, Kraft, ConAgra, Kellogg's and Ferrara programs. These are products that you should be making available to the consumer on an everyday basis.

MIRA members should also take advantage of the approximately twenty MIRA manufacturer programs that are available on products purchased from S. Abraham & Sons, Team Sledd and McAneny Brothers. MIRA receives data from these distributors and then bills and collects the money from the various manufacturers. Then payment is issued to the members semi-annually. A great example of the power of these programs if Free Enterprise, a four-store operator located in Medina Ohio. Paula Hudak said, "We find the MIRA program book to be a tremendous value. We offer the Pierre and Deli Express sandwiches as part of our everyday grabn-go offering. We also feature Home Market Foods products as part of our roller grill program and have strong sales with Bellarico's pizza. We also use the Goodwest Creamer products as part of our coffee offering. In addition, we have added the Associated Distributor cell phone accessory program. We get all of these products through our wholesale partner, S. Abraham and Son. We are earning roughly \$1,200 per store in annual rebates using these bests in class products". After looking at the numbers, I will say that Free Enterprise is one of the best MIRA members at incorporating and utilizing the MIRA Manufacturer Program Book to their fullest. They are combining the manufacturer rebates and distributor rebates to drive down their food service cost on key products anywhere from 7% to 10%. I strongly urge every member to review the MIRA Manufacturer Program Book with their distributor sales representative in order to maximize the opportunity.

We are going to continue to develop these programs for our membership and have added some strong new programs in 2020. One example of this is Nathan's. This gives our members a branded food service solution at no cost and allows you to earn a 15 cents per lb. MIRA rebate which is in addition to the MIRA distributor rebate. We have also added Glas Vapor. Despite the attack on vape favors, vape continues to grow. MIRA members will receive an 8% rebate on all purchases! In my opinion this is a must have product that will become the #2 brand behind Juul.

When looking at the totality of these programs available to MIRA members, it can really add up. \$1,700 + \$700 WAM + \$700 MIRA Manufacturer Program Book = \$3,100 in annual savings. If you have not seen the MIRA Manufacturer Program Book and would like to learn how you can take advantage of it and all these programs, please call our offices and we'll review these with you!



MIRA MEMBER **EXCLUSIVE**

Members with questions call the MIRA office at 1-800-666-6233



C-STORE REBATES

DETAILS

New & current customers are eligible for the following rebates:

- 2% Non-tobacco/non-cigarette
- Additional 3% on restroom and cleaning supplies (total of 5%)

TOTAL VALUE TO YOU:

- \$1,040 2% Rebate* (annual total paid quarterly) \$2,000 Est. MIRA member program savings
- \$3,040 Total Member Benefits PER LOCATION

*Based on \$1,000 non-tobacco purchases weekly

RETAILER QUALIFICATIONS

- Customer must purchase weekly.
- Customer must average 50 cartons of cigarettes and \$1,500 non-cigarette purchases per week.
- Customers need to maintain good credit standing.
- In order to qualify, the customer must purchase the following required categories and 2 of the "Flex" categories:

REQUIRED:

- Cigarettes
- OTP
- Candy
- Supplies
- Hostess
- Meat snacks
- All other categories typically offered by distributor like HBC, grocery, etc. (if offered by the retailer)

FLEX:

- Coffee (if offered by retail operator)
- Associated Distributors (cell phone accessories)
- Ice Cream (requires a bunker freezer or the purchase of 12 SKU's)



TO SIGN UP FOR THIS PROGRAM, CALL THE MIRA OFFICE AT (800) 666-6233 OR EMAIL INFO@MIRAMW.ORG



government relations report

JUAN ESCAREÑO // MIRA DIRECTOR, GOVERNMENT RELATIONS & COMMUNITY OUTREACH

A New Year for Change

"Change means movement. Movement means friction. Only in the frictionless vacuum of a nonexistent abstract world can movement or change occur without that abrasive friction of conflict." – SAUL ALINSKY

> new year is before us! This new year will bring many changes to our industries, just like in years past. This industry is fast moving and consistently changing to meet

the food and petroleum needs of society. I sometimes lament the changes because we lose something. We lose a relationship, a custom or practice that is fond to us because it is normal and at that time necessary. But with change comes opportunity. Opportunity to improve what we have done and in some cases to further advance what others have left for us.

What I have learned is that with change comes great opportunities to see the work we do in new ways. To look beyond what we have grown comfortable with because it is safe. I began my life outside of retail as a community organizer on the Southside of Chicago and never imagined I would return to food retail in this capacity. Change can be good if we are open to it. Opportunity only presents itself when we are open to change. As an organizer I would interact with folks lamenting changes in their communities and it was my job to agitate them away from their complacency. Without change we grow complacent and comfortable with the status quo.

The status quo is a death sentence in our industry. If we are not changing, we are dead. In our industry the tensions or "frictions" as Saul Alinsky said are created by the changes in society, the consolidation of suppliers, and the politicians lacking an understanding of our world.

I want to challenge everyone reading this article to reflect upon the changes they anticipate coming this year and to be open to opportunities to do something new or different. I want you to change the perception that the Midwest Independent Retailers Association, or AFPD as some still fondly call it, is a program that is only here to save you money. Yes, we are here to use our leverage to save money...but that is not all.

We are here to challenge you through our events to be in relationship with other folks in your industry. Look beyond a night of poker with a small group of retail friends and see the vast reach the 4,500 members can give you. The opportunity to learn what others are doing in different regions or states. We are here to challenge the perception that at our government relations is a simply a lobbying arm and instead as a tool/opportunity to build relationships with regulators and policy makers. Look our PAC fund has a tool/opportunity to pool your resources together to make a mighty gesture to elected officials.

Change is good when we grasp it as an opportunity. A good investment is membership in MIRA. Yes, you save money...but here we grasp change has an opportunity to make your business better. We are constantly defending you from unjust regulations or laws, but we are also vigilantly looking for ways to grasp change in the industry to make your life easier.

I hope everyone achieves their New Year's resolutions and I hope you accept my challenge to change the view of MIRA has a vender program. With this change of mindset, we can achieve victories in every state we have legislative efforts. In Chicago, we can win a tax abatement for retailers, in Michigan we can win expungement for liquor violations and in Ohio, we can open up the liquor business for the independent retailers. Change can be good so let us grasp it with great vigor and charge ahead!



Valued Customer, Beginning with deliveries on Monday January 6, 2020 The minimum order and price will be changing for the Gallon Drink Discount.

A 24 case minimum order will be required The new price will be \$1.39/gallon

Thank You for being a Borden Customer!





ohio lobbyist report

TERRY FLEMING // TC FLEMING & ASSOCIATES

2020 Could be a Busy Year in the Ohio Legislature

s we go into the year 2020, the Ohio General Assembly will be acutely aware that it's an election year for President of the United States, which will be very contentious. The federal election as well as all 99 Ohio House Members and half of the Ohio Senate will be campaigning for re-election.

Currently the Ohio House is controlled by a 62-37 Republican margin while the Senate is 24-9 Republican. There will be more contested primaries and general election races than ever before as Democrats believe they can pick up seats in suburban areas while Republicans think Donald Trump will carry Ohio by a good margin again, helping their candidates get reelected. Realistically the Republican's will retain control of both Houses, but we are not sure what the margins will be. The General Assembly will avoid controversial issues at all cost this year as they don't want to give Democrat's a reason to come out and vote, they already think Democrat's will turn out in large numbers due to the opposition against Trump.

There are several bills that MIRA is following that will carry over to next year:

- HB 71 This is a minimum markup bill for cigarettes that applies only to distributors and wholesalers.
- HB 172 If you happen to own a service station convenience store and also have towing service, this bill would require only one certified letter be sent to owners of vehicles that have a value of \$3,500 or less. Currently the law requires 3 certified letters over a 60-day period.
- HB 237 Would allow liquor shipments to be sent directly to consumers using an "S" permit.
- HB 242 and SB 222 Both bills would override



the home rule on banning or taxing plastic containers and give sole authority to the state on this issue.

- HR 247 This resolution would ask the U.S. EPA to do away with the requirement that vehicles in certain areas of Ohio need E-Check.
- HB 110 Would require stickers be placed on gas pumps or doors of service stations indicating the amount of tax, both state and federal, the motorist pays on a gallon of gas.
- **HB 9** Would require a countywide vote on any county taxes being proposed.
- SJR 3 Would change the Ohio Constitution to require super majority vote of the legislature to pass taxes.

In addition to the above, MIRA has met with the Ohio Lottery and they agreed to certain changes which are appreciated but we need to make certain they carry them out. MIRA is also pursuing changes in Ohio Liquor law that would benefit our members.

All in all, 2020 looks to be an interesting year.

MIRA MEMBER EXCLUSIVE

Walable IN KY, ND, OH, PA, VA& WY INNOVATORS -- NOT ---IMITATORS

Take Advantage Of MIRA'S Group Buying Power With The Region's Top Retail Convenience Distributor



Special MIRA Program Available

Details:

New & current customers are eligible for the following rebates:

- 2% Non-Tobacco/Non-Cigarette
- Additional 1% on Energy Supplements (Total of 3%)
- Additional 2% on Foodservice products (Total of 4%)
- Additional 2% on Supplies (Total of 4%)

Requirements:

Customer must purchase the following categories:

- Cigarettes
- OTP
- Energy Supplements
- Supplies
- Coffee (If offered by retail operator)

Customer needs to average \$3,500 in total weekly purchases Customer needs to purchase 12 out of the 13 weeks per quarter Customer must maintain good credit standing

• TOTAL VALUE TO YOU •

All the time.

\$3,350	Total Member Benefits PER LOCATION
\$2,000	Est. MIRA Member Program Savings
\$1,350	Estimated Rebate* (Annual Total Paid Quarterly)

* Based on \$1,000 non-tobacco purchases weekly

For more information on Team Sledd, call the office at 800.333.0374 or E-mail Sheila Reilly at SReilly@TeamSledd.com



michigan lobbyist report

MATT MINER // CAPITOL STRATEGIES GROUP

Online Gaming Comes to Michigan; Other Legislative Issues

overnor Gretchen Whitmer legalized sports betting and online gambling through Michigan casinos for those 21 and older with the stroke of her pen last month. Supporters estimate that this could bring

in tens of millions in new tax revenue, most of which would be funneled into the School Aid Fund, which funds the state's K-12 schools. Another \$4 million a year would be earmarked to go to a fund that compensates firefighters who contract cancer due to exposure to smoke and chemicals while working.

"My top priority in signing this legislation was protecting and investing in the School Aid Fund, because our students deserve leaders who put their education first," the Governor stated. "Thanks in part to the hard work and leadership of Senator Hertel and Representative Warren, these bills will put more dollars in Michigan classrooms and increase funding for firefighters battling cancer."

After winnings are paid out, the state would collect an 8.4 percent tax on sports bets and 20-28 percent on internet gambling, depending on how much money a casino generates online. This legislation will also legalize and regulate fantasy sports betting and amend some state laws regarding charitable gaming and regulations for Detroit- area casinos. How long it takes before Michiganders can bet on their favorite teams and gamble online will depend on how quickly the Michigan Gaming Control Board can set the required rules and regulations.

"Our economy will benefit as jobs are created within a growing industry. Our schools and local communities will benefit from new revenue," said Representative Brandt Iden, the lead sponsor of the bill package.

EXPUNGEMENT BILL SET FOR INTRODUCTION

State Representative Matt Hall has finalized legislation to provide for a process to expunge liquor license violations from business owners who keep a clean record and are free from violations for 7 years or more. The legislation provides for long overdue relief to business owners who are hit with long term penalties for actions that are often not intentional or willful. It is expected that hearings in the House Regulatory Reform Committee will begin on this bill in January.

LOCAL ROAD TAX BILLS MET WITH OPPOSITION

A package of bills introduced in the state House would allow local governments to raise revenue for their own roads if their voters approve a local gas tax or registration fee. House Bills 4963-4973 were introduced by a bipartisan group of House members to spur the conversation on how road improvements are funded across the state. Not everyone is excited about the prospects of this local tax option though. Organizations across the state have taken to the airwaves to convey their opposition to these bills in radio ads.

In Michigan today, local governments can ask voters to bond out for road improvements or raise the property tax millage rate. The bill sponsors argue that locals need more options to fix their roads and these bills provide that tool. Hearings are expected on these bills in the first quarter of 2020.

LIQUOR CONTROL COMMISSION TAKING STEPS TO FIX LIQUOR DISTRIBUTION PROBLEMS

The Michigan Liquor Control Commission (MLCC) has begun to take steps to address issues that have caused major distribution delays and product shortages across Michigan. MLCC Chairman Pat Gagliardi says the state may need to go directly to manufacturers to re-balance market share among three distilled spirits Authorized Distribution Agents (ADAs).

The problem began earlier this year when Republic National Distributing Company (RNDC) began having issues in getting liquor shipped to licensees across the state. RNDC directly controls two-thirds of the spirits market in Michigan, the 7th largest spirits market in the county, while two other ADAs divvy up the remaining one-third. In total, two companies control 97% of the spirits market. This is a concern to the Commission who has taken RNDC to task over the last few months. On November 12th, the state had demanded RNDC provide a written plan to the Commission on how it would remedy the delays and backlog. On November 25th, on behalf of the commission, Attorney General Dana Nessell leveled an 88-count complaint against RNDC for failure to deliver spirits. That complaint cost the company \$26,000 in fines.

"The problem is one company has kind of cornered the market with two-thirds of the product," said Gagliardi. "We have to take a look at whether it makes sense to have one company have that much control over delivery. What we're finding in the last six-to-eight months is when a licensee goes to order - it [RNDC's system] says it's out of stock -- or it says you can order it and they contact you later and say it can't be delivered."

Chairman Gagliardi has appointed fellow Commissioners Dennis Olshove and Ed Clemente to look at different approaches to resolve issues with the state system. It is possible that there will be legislative actions necessary to address the issues.



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michigan lottery report

BRIAN O. NEILL // MICHIGAN LOTTERY COMMISSIONER

Doubler Days Returns in January, Expected to Boost Club Keno Sales

ichigan Lottery players have a chance to double their fun this January when the popular Doubler Days promotion returns for the Club Keno game.

During the month of January, all Club Keno tickets purchased at Lottery retailers are eligible for Doubler Days. A Doubler message will be printed on random tickets and will double all prizes won on that ticket, and there is no additional cost to players. Club Keno Extra prizes also are included in the Doubler Days promotion. The Jack prizes and Club Keno Extra eight of 10, nine of 10, and 10 of 10 prizes are excluded from the promotion.

INSTANT TICKETS // PULL TAB TICKETS

NEW INSTANT TICKETS: On sale January 7th:

- IG 326 \$5,000 Lucky 7's \$1
- IG 327 \$50,000 Lucky 7's \$2
- IG 328 \$500,000 Lucky 7's \$5
- IG 329 \$1,000,000 Lucky 7's \$10

INSTANT GAMES SET TO EXPIRE: Expiring January 6th:

- IG 210 Lucky 7's \$1
- IG 211 Lucky 7's Doubler \$2
- IG 212 Lucky 7's Tripler \$5
- IG 213 Lucky 7's Multiplier \$10
- IG 217 \$50,000 Triple Diamonds \$2
- IG 224 \$5,000 Gold Rush \$1
- IG 225 \$50,000 Gold Rush \$2
- IG 226 \$500,000 Gold Rush \$5
- IG 227 \$1 Million Gold Rush \$10
- IG 238 Cashword \$2

Expiring February 3rd:

■ IG 246 Sizzilin' Wild Time – \$2

NEW PULL TAB TICKETS: On sale January 7th:

MI 575 Beernado II – \$1

PULL TABS SET TO EXPIRE:

Expiring January 14th:MI 504 American Pride - \$1

Expiring February 11th:

- MI 505 Another Round \$1
- MI 522 Wild Cherry \$2

This popular promotion has a strong track record of generating excitement among players and boosting Club Keno purchases.

The Doubler Days promotion offers double benefits to retailers with increased sales and increased commissions.

NEW FAMILY OF INSTANT GAMES LAUNCHING IN JANUARY

Player research and sales have shown time and again that Lottery players are attracted to instant game "families." The Lottery's newest family of instant games features four games based on that knowledge. The new family of instant games:

- **\$5,000 Lucky 7's** A \$1 ticket with top prizes of \$5,000, and more than \$5 million in total prizes.
- \$50,000 Lucky 7's A \$2 ticket with top prizes of \$50,000, and more than \$15 million in total prizes.
- \$500,000 Lucky 7's A \$5 ticket with top prizes of \$500,000, and more than \$26 million in total prizes.
- \$1,000,000 Lucky 7's A \$10 ticket with top prizes of \$1 million, and more than \$48 million in total prizes.
- \$2,000,000 Lucky 7's A \$20 ticket with top prizes of \$2 million, and more than \$99 million in total prizes

We expect retailers to experience success with this new family of games when they go on sale January 7th.

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 vendors and retailers. In the 2018 fiscal year, the Lottery provided more than \$941.3 million for Michigan's public schools, its fourth record contribution in row. Since it began in 1972, the Lottery has contributed more than \$22 billion to support public education in Michigan. For additional information, follow the Michigan Lottery on Facebook, Instagram, Twitter and online at www.michiganlottery.com.

TICKET ACTIVATION: Retailers are reminded to activate all game tickets before putting them on sale to ensure winning tickets may be redeemed by players.

THERE'S FUN IN EVERY ONE!

Players love Instant Games! There are dozens to choose from and millions in cash prizes. Last year, retailers earned over \$122 million in commissions on Michigan Lottery instant tickets. So keep plenty in stock because what's fun for players means profits for you.

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THERE WILL BE LOTS OF LUCK WITH THE NEW Lucky Cor INSTANT GAMES! Over \$171 million in total prizes.





Overall odds of winning \$5,000 Lucky 7's: 1 in 4.72. Overall odds of winning \$50,000 Lucky 7's: 1 in 4.50. Overall odds of winning \$500,000 Lucky 7's: 1 in 3.75. Overall odds of winning \$2,000,000 Lucky 7's: 1 in 3.75. Overall odds of winning \$2,000,000 Lucky 7's: 1 in 3.48. Knowing your limits is always the best bet. Call the Michigan Problem Gambling Helpline for confidential help at 1-800-270-7117.

Legislative Focus for 2020

BY VANESSA DENHA GARMO // DENHA MEDIA GROUP*

he team at Midwest Independent Retailers Association (MIRA) are heading into 2020 reviewing strategies for legislative issues primarily in three states: Michigan, Ohio and Illinois.

"There are specific agenda items that we will be following in the coming year," said Auday Arabo, president and CEO. "We can break those down by state. We will be working on issues that protect independent retailers on various fronts."

In each state, MIRA has a lobbyist working on behalf of its members. "We want to support legislation that benefits our members and opposes those that will have a negative impact," said Terry Fleming, director of TC Fleming and Associates in Ohio. "While we can introduce bills, we need to be sure that there's a reasonable chance they can pass; we don't want to waste political capital tilting at wind mills. We can focus on specific ideas, such as environmental issues, marketing issues or energy issues but more than not, like all businesses, we react to bills proposed by the members of the General Assembly. Specific goals are hard to define because, most of the time, we react rather than act. We can never be sure, what's next."

Meanwhile, MIRA members are affected by a wide range of regulations in Michigan. MIRA actively lobbies bills across a wide spectrum of committees in the legislature.

"The lobbyists also interact with several agencies at the executive level to negotiate through the rulemaking process," said Matthew D. Miner, CEO Capitol Strategies Group. "Keeping MIRA's name and reputation alive and thriving within the walls of the capitol is a paramount initiative. The history and traditions of MIRA precede them and with term limits it is important to remind the new legislators and bureaucrats where we stand on the issues that are important to our members."

The Director of Government Relations and Lobbyist are spending significant times in each state to build relationships and a footprint for MIRA. "We expect them to be the eyes and ears in the legislative chambers of each state for our members," said Juan Escareno, Director of Government Relations for MIRA. "They will keep us abreast of changes and help to educate legislators on the impact their legislation will impose on our members."

MICHIGAN

On the alcohol side in Michigan, MIRA will be looking at the "half-mile" rule and working with the Michigan Liquor Control Commission (MLCC) on retracting the rule that was changed in 2019. Also, on the alcohol front, MIRA will be protecting the two-tier system that provides control and "a level playing field between big chains and small independents," said Arabo. "Whether you purchase one bottle or a hundred cases, the price stays the same. Over the years, the association has worked to protect the three-tier systems which is why Michigan has more retailers that other states of its size."

There are also petroleum issues in Michigan where some people are not following the law and are hauling gasoline cross-border. "They don't pay all the taxes and they hurt members who do pay the taxes and do the right thing. We want to crack down on this practice," said Arabo.

"We are following this as a priority for 2020," said Ed Weglarz, Director of Petroleum. "We oppose the municipality gas tax. It messes up the marketplace when you have a tax in one community or county and not the adjoining municipality. People will just drive to the neighboring community to buy gas cheaper."

Weglarz, who was born and raised in Chicago, uses the Illinois example of why such taxes don't work. "You have federal, state, city and county taxes on products like tobacco, liquor and gasoline," said Weglarz. People in Illinois drive to neighboring cities to avoid paying the extra tax in Chicago. This tax structure doesn't work. It hurts the retailer and skews the market-place."

The sponsor of the bill in Michigan claims that if the extra tax in Oakland County (for example) will stay in Oakland County and pay for roads in Oakland County, residents will not mind paying the extra tax. "And, that is just naïve," said Weglarz. "The National Association of Convenience Stores reports that 50% of the motorists will drive five miles each way to save 5 cents of gallon. We are opposing the legislation. It would be nightmare to administer."

In addition, Weglarz noted that it will be an administrative nightmare for the state of Michigan will have to know where every gallon of gas is delivered. "It makes it ripe for fraud," he said. "It is a real hodge podge. It's not a good method."

Also, on the petroleum side, there is another bill being proposed in Michigan that wants to allow gas stations to leave pumps on overnight when they are closed. Right now, it is against the law. "The reason for it being illegal today is because there is a fear that vandalism could cause a fire." said Weglarz. "However, a representative has proposed this because in rural areas, stations are few and far between. Once you start doing this in rural area, it will erode into urban areas and it's another hodge podge law."

In 2020, MIRA and its government relations team will be working to pass legislation to expunge liquor license violations from business owners who keep a clean record and are free from violations for seven years or more.

"This [expungement] bill will allow liquor stores with violations over seven years old to expunge incidents from their record," said Escareno. "This impacts our members who are striving to be good neighbors and business owner and may have one violation from years ago and may new violation."

The concern is that this owner is penalized severely even after years of good conduct. "We believe that often times these violations are not intentional or willful by the business owner, therefore if the necessary corrective actions are taken, record of that violation should expire after a period of time," said Miner. "It is expected that hearings in the House Regulatory Reform Committee will begin on this bill sometime after the New Year."

MIRA's executive team and committee outlined their priorities for the government relations team early 2019 and began the process of legislative bill drafting this past spring. "In addition to weighing in on pending legislation, MIRA has identified several bills that it worked to defeat in prior legislative sessions to monitor and amend if necessary," said Miner.

"Several of those bills have been reintroduced and amended to reflect MIRA's position. MIRA's legislative team continues to monitor those bills as the navigate through the legislative process."

In Michigan, the lobbyists will be working to pass the expungement legislation and newly amended Fairs and Festivals bills, work to defeat gas tax increases, including the local county gas tax bills, and monitor dozens of other bills as they work their way through the department. "The lobbyists in Lansing will also be working with the Michigan Department of Health and Human Services on WIC issues and the Michigan Department of Agriculture and Rural Development on CBD and hemp product laws and regulations," said Miner.

The Bottle Deposit Bill will emerge again in 2020. There is an interest to expand the bottle bill to include water bottles but MIRA opposes any such legislation. "The grocers can't just keep collecting garbage," said Weglarz. "They don't have the room. We prefer curbside recycling for the entire estate. Then the people can recycle whatever they want. We cannot have the grocery stores be the garbage dump. They come to the store filthy with cigar butts. It is just unsanitary."

OHIO

In the neighboring State of Ohio, Terry Fleming of TC Fleming & Associates, keeps MIRA informed of activities and legislation that could impact members. "The main priority when setting goals is maintaining that relationship with leaderships in both parties and with members of the General Assembly," said Fleming. "We can list a number of things we would like to see changed but, you need be sure that there is a reasonable chance of passage."

MIRA has long sought changes in Ohio's liquor laws that would greatly expand the number of outlets able to sell spirits in Ohio. MIRA is at the forefront in trying to get a bill passed to do just that.

MIRA would like to expand the liquor license availability. There are about 450 licenses available to family owned or independent retailers compared to Michigan which has about 4,500. "Ohio has about a million more people that than Michigan," said Arabo. "We want small business owners to have the same opportunity to have liquor licenses."

"We are working on moving liquor reform in the state to increase consumer choice and to give small retailers an opportunity to expand the products they currently offer," said Escareno. "This expansion would not change the control laws on the books but remove the county caps. Consumers and retailers will see a variety of liquor currently not sold in the state. This will also give small distillers an opportunity to compete against the big guys."

There are two bills being considered by the General Assembly that would give the state sole purview over the use of plastic bags and the ability to tax these bags.

The other proposal in Ohio is about plastic bags where certain municipalities can outlaw plastic bags. "We say if you want to outlaw plastic bags than do it statewide," said Weglarz. "When you only have these laws in certain communities, people will just go outside of the municipality and you hurt the retailer. Some retailers have multiple locations and move employees from one location to the next and different laws in different municipalities just causes confusion in the marketplace."

Weglarz points to the cigarettes age restriction in Ann Arbor as an example. It was raised to the age 21. "This only hurts merchants," said Weglarz. "It doesn't stop people from smoking. They just stopped people younger than 21 from buying cigarettes in Ann Arbor. Those under 21 years of age just travel outside of Ann Arbor to buy cigarettes. If the people want a new age restriction of 21 then we would prefer 21 and older be the law across the state and not just in certain municipalities."

"Currently a number of cities have banned the use of plastic bags or have levied high taxes on these bags. There are two bills pending that would give the state sole authority on the use of plastic and the ability to tax them," said Fleming. "MIRA is part of a coalition to work on final passage and getting the Governor's signature. It is imperative that we work with others on issues like this and we need to continue to build those relationships."

"MIRA has established a very good relationship with the Ohio Lottery, and they have agreed to many changes we've suggested, but we need to be diligent in following up on our agreements," said Fleming.

Next year is not only a presidential election year, but all members of the Ohio House and half the Ohio Senate are also up for election so the legislature will be careful not to pursue controversial legislation. "Look for a lot of "fluff" bills," said Fleming.

One area MIRA will keep a close eye on is tobacco taxes and other legislation regulation the sale of tobacco and tobacco products. "Again, MIRA is part of a strong coalition, I can't stress how important it is to be a part of these coalitions," said Fleming.

ILLINOIS

In Illinois, the MIRA team is dealing with petroleum issues, lottery issues and "issues that hinder independent grocery stores specifically in Chicago, Cook County and Springfield," said Arabo. "Fair Work Week ordinances hinder potential tax increases and tax assessment. They are putting people out of business. These owners can't stay competitive. Now residents of Illinois are setting up business in neighboring states. This rule is driving business out of Chicago."

There are issues in the state, county and city that MIRA is closely watching. "Our goal is to make sure the legislative issues that positively or negative impact members are closely watched and take initiatives that benefit members.

MIRA is another voice on retail issues," said Curt Fiedler, Principal at Morrill Fiedler, LLC. "MIRA is the association that focuses on retailers that others don't: such as grocery. We can give the legislature a direct perspective."

Other agenda items being followed in Illinois are taxation issues, specifically property tax reform. "These

increased taxes are preventing small independents from setting up business in neighborhoods, specifically where there is a food desert," said Fiedler. "We need to resolve this issue and not make it difficult for businesses to survive because of taxes. This issue hits all three levels of government: state, county and city."

"We are working on protecting members investments in Cook County by working on getting a tax abatement for stores in challenging neighborhoods," said Juan Escareno, Director of Government Relations for MIRA. "We want an abatement for stores located in food deserts."

This food desert and tax increases impact Cook county and the city of Chicago in Illinois. "We are working to provide a property tax reduction for businesses who open up shop in underserved neighborhoods," said Fielder. "This current system has put stores out of business. They are making it unfeasible to operate in the Chicago area." MIRA is supporting initiatives at the city and county level that will provide some form of property tax reduction or credit to grocery stores to help in food deserts and that will help in neighbors in underserved areas.

Operating grocery stores in these specific neighborhoods have been a niche for independents, "as the big chains don't want to operate in these specific neighborhoods," said Fielder.

Then there is the ongoing issue of the Fair Work Week ordinance at the city level; that rule is expected in February. "MIRA members are directly affected by this rule that will go into effect July, 2020," said Fielder.

This rule will require business owners to give workers 10-days' notice and then 14 days starting 2021, if the work schedule changes. If it does, the employer pays a penalty. "MIRA completely opposes this rule," said Fiedler. "We submitted alternative language that would make this rule workable for our members. We were told we brought up legitimate concerns."

In the state of Illinois, there are other minor issues at all levels which MIRA's team will continue to follow. "We monitor everything," said Fielder. "If something pops up, we quickly respond. Legislatures need to understand that there is voice for the independent shops that is different from the Walmart and Amazons and larger corporations and all have a different focus than the independent guys.

*Denha Media writers are content creators for MIRA and the Bottom Line.

spotlight profile



Tim Walls Named President, Chief Operating Officer of Lipari Foods

BY ASHOURINA SLEWO // DENHA MEDIA*

n November 18, 2019, Lipari Foods announced the appointment of Tim Walls (51) as the new President and Chief Operating Officer (COO). Effective

immediately, Walls stepped into this role in which he will be overseeing all operations of the distribution company.

Walls will be reporting directly to Chief Executive Officer (CEO), Thom Lipari.

The decision to bring Walls on to the Lipari team will allow the company to continue their growth, without sacrificing the company's notorious attention to detail and customer service.

"By bringing Tim into this new role, we are ensuring the existing operations continue to have the attention needed to grow and prosper," explained Lipari, CEO. "This will allow me more time to concentrate on the expansion of the business as we continue our strategic position to be one of the premier perimeters of the store and specialty grocery distributors in the U.S."

Before making his way to Lipari, Walls was at Schreiber Foods, a \$5 billion dairy company specializing in yogurt, natural cheese, processed cheese and cream cheese. Having been at Schreiber for two decades, Walls is bringing to Lipari with him a wealth of experience and knowledge that will translate well during his tenure at Lipari.

During his 20 years at Schreiber, Walls has worked his way up through the company, taking on more and more responsibilities.

"At Schreiber, Walls started as a Production Manager and working his way up to Executive Vice President and a member of the Board of Directors," Lipari said in a statement.

"I had a wonderful 20-year career at Schreiber Foods and was given increased leadership roles and responsibilities throughout those years," said Walls. "Schreiber taught me the importance of culture and how critical it is to an organization's success. They also taught me to critically think and be a problem solver, which I feel I am." At Schreiber, Walls successfully led company-wide projects including many "supply chain optimizations such as the launch of Lean Six Sigma."

In the workplace, Walls believes strongly in the role of communications in addition to the power of employee engagement.

In joining the Lipari team, Walls not only shares the business and industry acumen needed to continue the company's progression, but also has a shared set of values rooted in giving back to the community. Lipari Foods has been historically committed to aiding their community and continues to do so annually in their partnership with local food banks, such as Gleaners.

"I'm so excited to be a part of this team and feel blessed to have been given this opportunity to serve our organization," said Walls.

According to a statement made by Lipari, the father of two," ... is passionate about giving back to the community and has done so as a Board Chair with Curative, an organization that supports individuals with disabilities or limiting conditions."

Walls is a graduate of the United States Air Force Academy and holds a Master's Degree in Organizational Management from the University of La Verne.

Walls grew up in a small farming community in Kentucky, attended the Air Force Academy where he earned a Bachelor's of Science in Law. He served in the Air Force for five years and has been in the private sector for the past 25 years. He has been happily married for 27 years to his wife Robyn and am the proud dad of Brandon (26) and Ellie (19).

"I'm really excited to learn the culture and business process at Lipari Foods as well learn about this industry," said Walls. "My background is in manufacturing and distribution but not broad-line grocery distribution. I have an entire new set of team members to get to know as well as all of our great customers. My goal is to be part of the senior leadership team that continues to build upon this company's great legacy."

He currently lives in Green Bay, Wisconsin with his wife Robyn. "We are researching the housing market in Metro Detroit and mapping out where we want to live," said Walls.

*Denha Media writers are content creators for MIRA and the Bottom Line.

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where are they now

From Intern to Midwest Regional Sales Manager

BY VANESSA DENHA GARMO & ASHOURINA SLEWO // DENHA MEDIA*

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he food industry is not foreign to Alyssa Franchi, 29. Her father introduced her to the business as a long-time executive with Lipari Foods, LLC.

The Northville resident first learned about the Midwest Independent Retailers Association (MIRA) from her father, Tony Franchi. She started to work with the association as an intern while home from college during the summer.

She worked at the front desk while helping with various tasks in the office. When she graduated from Central Michigan in 2013, she was hired full-time as the Events Coordinator. She held the position for about 18 months before she moved onto another company.

"At MIRA, I learned about the food business and independent retailers. I now call on many of the same retail accounts and store owners that I met at MIRA."

> Franchi acquired new skills and valuable experience, "planning all the MIRA events, trade shows, annual gala dinner, golf outings, scholarship luncheons and helping with board member meetings," she said. "I was responsible for contacting all our vendors to sell sponsorships for all the events. I was also in charge of coordinating all the details, logistics and running the ship on the day of each event, whether that was setting up, handles issues, working with vendors on any questions they may have or delegating tasks for the other MIRA employees to help with."

In her capacity, she dealt directly with vendors to gather donated goods and/or prizes for each event. She was also responsible for billing and keeping track of the budget the events would accrue.



She recently accepted a Midwest Regional Sales Manager position with Red Apple Cheese. "Before that, I was working for custom sales and marketing as a key account manager," she said. "At MIRA, I learned about the food business and independent retailers. I now call on many of the same retail accounts and store owners that I met at MIRA. I learned great organizational skills and how to deal with different types of people while working there. I also had experience selling memberships and sponsorships for our numerous events so that gave me selling experience that has helped me in my current roles. I learned how to handle and/or overcome rejection."

Her overall time at MIRA with independent retailers further prepared her for her current job. "Events were a huge part of my job at MIRA and it was really important to make them desirable and enjoyable for our members or they wouldn't attend or sponsor the events," she noted. "With our member participation and strong vendor relationships, the association would not be where they are today, so it was important to make sure they were successful. The work we did, planning events for the MIRA retailer members, was the best way to get them in front of various vendor partners whom they are most likely purchasing from already."

*Denha Media writers are content creators for MIRA and the Bottom Line.

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Showing Off Products and Offer Deals

2020 brings new trade shows for industry customers

BY VANESSA DENHA GARMO // DENHA MEDIA*

In spring of 2020, there are three major tradeshows including the Midwest Independent Retailers Association (MIRA) Annual Innovations Buying show scheduled on April 28th at Andiamo in Warren, Michigan.

MIRA'S INNOVATIONS BUYING SHOW

After taking a year off to reconfigure this annual show, the MIRA team is bringing it back in a more intimate way.

"Historically, it was for the grocery industry getting ready for spring time and the barbeque season," said Auday Arabo, MIRA president and CEO. "We are just trying to represent all facets of the show by including our staple vendors like SpartanNash, UNFI, Nestle Ice Cream, Pepsi and Frito Lay along with new companies and new innovative products."

This year's show will be a smaller show than in years past. Instead of 200 booths, there will be closer to 70 booths, which is the maximum capacity for Andiamo. This spring show is the longest running show in the association's history having started in 1984. It is very much a show that focuses on networking and getting deals," said Arabo. "There will be show-only specials for members. Many companies offered these specials in the past and we expect many more this year."

The show is specifically held in April, "because it's the time everyone defrosts from the winter and gets ready for the grilling season," said Arabo. "We want our members to be able to plan for a big summer and spring season. Michigan is a great tourist destination and businesses see an uptick."

The revenue that is generated from every event including this show helps subsidize the dues for members. "It costs us about \$800 a member to service at the level MIRA does with lobbyists, with administration and overhead," said Arabo, "an important purpose of our events is to keep dues as low as possible, while providing the highest level of service."

LIPARI FOOD SHOW "SEA OF SAVINGS"

Just a few days prior to the MIRA show, on April 22nd, Lipari is hosting their show at the Suburban Collection Showplace in Novi. The show continues to grow every year. They are planning for 800 booths, about 50 more from 2019.

"We have a record number of vendors registered before Christmas," said Don Symonds, director of Events and Trade Relations. "We expect about more than 15,000 items at deal prices, 11,000 vendors and 625 brokers."

This year's Lipari show theme this year is Sea of Savings. "We may go a bit over the top," said Symonds. "We try to create themes to make it easy for vendors to decorate and that customers can understand the theme."

They are expecting 6,500 customers from all over the country. "It is a buying show," said Symonds. "There are deals at this show that customers will not see any other time of the year. The show pricing is the best pricing. We will have eight weeks of shipping weeks and during the holiday. People come to buy summer holiday products."

The team plans each show at least a year in advance. "We are starting to plan 2021 already," said Symonds. "We spend a lot of time agonizing over the theme. The show is not just show, it really is an event. People walk out the door asking about next year's theme. It is the toughest job of the show - picking the theme. We want it to be upbeat, colorful, with decor that is engaging."

Every year Lipari showcases new products and new items in the industry in all categories. "We try to find the latest and greatest products available," said Symonds. "You will see a lot of CBD and we introduced the category last year and this year, we are introducing a lot of products like Inspire Organics, Health and Wellness and specialty foods are growing every year."

Bakery products are always in high demand. "This is where we started and it's the category people come looking for in the summer and spring holiday season. Customers look for our salads and other summer items."

The most significant part of the Lipari show is the pricing. "It really is the hottest pricing of the year," said Symonds. "It is a rule of Lipari, you have to attend to get the deals. If you don't attend show, you don't get the show deals. It important to send a store member to book products."

The Lipari show is a one-day event from 8 a.m. to 5 p.m. Lipari customers can register with their salesperson. "It is a nine-hour fast and furious day of buying. Everyone's sure to find something new for their stores and save plenty of money on regular products," said Symonds.

SHERWOOD FOOD SHOW

Sherwood Food Distributors' 2020 show will take place at Burton Manor on April 14th.

Features at the 2020 show will include meat, dairy, deli, seafood, bakery, frozen foods, ethnic, processed meats and Kosher products with expectations that 130 vendors will be showcasing their products.

"It is very much a 'selling show' so the anticipated 500 stores and restaurants that attend will be able to take advantage of the most attractive deals that we'll offer throughout the entire year," said Dave Urbain, Vice President of Sales "Also, there will be a number of in-show special deals offered only to those who attend."

The theme for the Sherwood show has not yet been established; that will be determined in January.

*Denha Media writers are content creators for MIRA and the Bottom Line.



12499 Evergreen Road, Detroit, Mi 48228

MICHIGAN //

Opinion: Don't Mess with Michigan's Liquor System

■ BY AUDAY P. ARABO, ESQ. // MIRA PRESIDENT & CEO

Across the state, members of the Midwest Independent Retailers Association (MIRA) are feeling the pinch of liquor delivery delays and failure to receive full orders as a result of problems faced by one the state's three authorized distributors of liquor.

But we are strongly opposed to suggestions that the current problems require the state to destroy a system that benefits small family-owned retailers, bars and restaurants around the state, and replace it with one that, based on the experiences of other states, will result in closure of many family owned small businesses — particularly in rural areas of Michigan.

Republic National Distributing Company's (RNDC) move to a highly automated warehouse, while well-intentioned and probably necessary, has been a mess. Since the transition started in June, our members have suffered from delays in delivery and incomplete orders, creating significant hardships on retailers of all size, but particularly on small businesses.

MIRA members have talked with officials at RNDC and the Michigan Liquor Control Commission, and we understand the problems the company is trying to fix. We are pleased to see deliveries improving, but will withhold judgment until we see a restoration of service levels we have come to expect from the company over the past 20 years. Uninformed suggestions to move away from the state's current distribution system to a so-called "free market" is a huge mistake.

The liquor system in place in Michigan today is one of the best in the nation for family-owned, small- and medium-sized liquor retailers, bars and restaurants in Michigan — and their customers. It is highly supported by the vast majority of the 13,000 or so liquor licensees in the state.

In Michigan, liquor distributors are required to treat all retailers the same. Each licensee can get a delivery a week. Under other systems, a small retailer might be deemed worth a delivery every other week or less, particularly if it is far from other liquor sales outlets.

In Michigan, a small-town tavern can get a split case of liquor delivered to its door with three bottles of one whiskey, three bottle of a gin and three bottles of a vodka and three bottles of tequila. Under other systems, distributors often set case minimums, a price that is too high for a small company that doesn't need to carry large inventory.

In Michigan, liquor prices are generally the same everywhere you go. A small corner store has the same opportunity to sell you a bottle of your favorite bourbon as the largest big box retailer. Under other systems, small family-owned stores are charged much more than large stores for the same product.

Michigan has seen what happens when a more "free market" system is allowed to rule. Small town Michigan today often has no local grocery with a robust set of products. Instead, we have chains with limited options for customers. Locally owned hardware stores are a rarity, put out of business by big box stores often miles away. Urban communities are retail deserts, and without transportation, people end up with poor options.

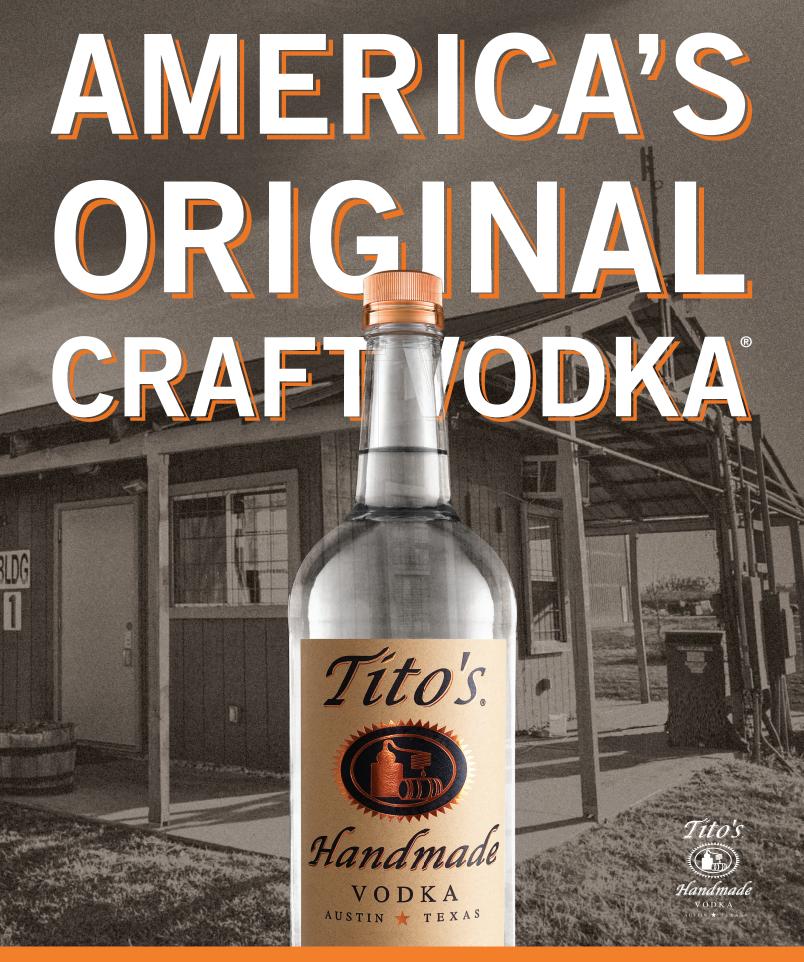
MIRA strongly supports the MLCC's plan to hold a public workgroup to look at our state's distribution system, learn lessons from the RNDC's current problems, and seek ways to make improvements. We intend to participate alongside RNDC, Great Lakes Wine & Spirits and Imperial Beverage.

What we and other groups who represent small business in the state do not support is a largescale change in the state's current system.

We can learn from the State of Washington, which went from a control state to an open state. The "free market" theories have led in reality to consumers in the State of Washington paying more for liquor, having less selection and ending up with fewer outlets to buy spirits from. This has also cost Washington major tax dollars.

Michigan has one of the largest selection of spirits in the nation, more than 10,400 spirits items to choose from. We have more licensees (mostly small businesses) than any control state and more than any open state with our population.

The facts, not the rhetoric, should guide future discussion on Michigan's liquor system.



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express lines

FDA Releases Final Guidance Banning Flavored Cartridge-Based E-Cigarettes



BY NACS ONLINE

On January 2nd, the U.S. Food and Drug Administration (FDA) published final guidance banning most flavored cartridge-based e-cigarettes, except for tobacco and menthol flavors. The guidance permits the sale of e-liquid flavors used in open vaping systems and in disposable, single-use vape products.

The new FDA policy is the result of the Trump Administration's effort to crackdown on youth vaping. Unlike the initial proposal from FDA, the final guidance focuses on which products can and cannot be sold rather than the locations in which those products are sold. NACS has been a vocal advocate for the even treatment of retailers selling tobacco products and strongly opposed the initial efforts by the FDA to permit sales of flavored e-cigarettes in retail stores that are considered adult-only, such as vape shops and tobacco outlets, while prohibiting them in convenience stores.

The final FDA guidance recognized those concerns and contains no language that discriminates between the type of retail outlet.

"Given the urgent need to address the dramatic rise in youth use, this Final Guidance prioritizes enforcement with respect to any flavored, cartridge-based ENDS products (other than a tobacco and menthol-flavored ENDS product) without regard to the location or method of sale," states FDA.

Lyle Beckwith, NACS senior vice president of government relations stated, "It would appear that FDA heeded our concerns regarding a level playing field among retailers and adjusted their final guidance policy accordingly."

All e-cigarette manufacturers are required to file Premarket Tobacco Product Applications by May 12, 2020. Premarket approval applications are also required for vape shops or other retailers that mix their own vape juice because they are, in those cases, manufacturing the product.

The FDA guidance policy will become effective 30 days after it is published in the Federal Register, which should occur in the next several days. It should be noted, however, that there is a pathway for flavored cartridge-based products to come back onto the market if the manufacturers file Premarket Tobacco Product Applications. Products for which premarket approval applications are filed before the May 12th deadline can be sold for up to 12 months while those applications are being considered. Following that time period, the products can only be sold if FDA approves the applications.

Manufacturers of e-cigarettes that are not impacted by the guidance, such as tobacco and menthol flavored cartridge-based products, open vaping systems, and other tobacco products such as flavored cigars, smokeless tobacco and hookah products that were not on the market as of the February 15, 2007 predicate date in the Tobacco Control Act must submit Premarket Tobacco Product Applications by May 12, 2020 to remain on the market.

The guidance also provides that manufacturers must take steps to try to prevent minors from purchasing their products. These steps may include manufacturers requiring retailers to use certain age verification systems and/or manufacturers conducting stings of retailers and imposing fines on retailers for violations.

FDA's guidance states that retailers will have 30 days following publication of the guidance in the Federal Register to sell-through current flavored cartridge-based products (such as Juul, NJoy and Vuse) before they must be removed from stores.

express lines

FDA Issues Warning on CBD Products, as Market Continues to Develop

BY SHAKEN NEWS DAILY

The U.S. Food and Drug Administration (FDA) is again sounding an alarm against CBD-infused food products and supplements, noting that it "cannot conclude that CBD is generally recognized as safe (GRAS) among qualified experts for its use in human or animal food."

Specifically, the FDA raised concerns about possible liver toxicity, interaction with other drugs, and the effects of cumulative use over time. The agency said it will continue to "work together with stakeholders and industry to fill in the knowledge gaps about the science, safety and quality of many of these products," and added that it will provide another update on regulatory approaches in the coming weeks. In the meantime, the FDA issued warning letters to 15 companies it says have been improperly marketing CBD products in interstate commerce and as dietary supplements.

Major retailers like Kroger, Walgreens, and CVS are already present in the CBD category, with Kroger launching CBD offerings in 945 stores in 17 states earlier this year. Most recently, Southeastern Grocers, parent company of Bi-Lo and Winn-Dixie, announced plans to begin offering supplemental, pet, and topical forms of CBD at 152 of its stores in Florida and South Carolina. In the drinks category, CBD-infused labels like Sprig, Queen City, Daytrip, and Vybes have been expanding their footprints.

Among independent drinks retailers specifically, a recent survey from Drizly found that nearly one-third of respondents expect CBD-infused beverages to "meaningfully grow business, while 22% see them as a possible niche at most." Just over 30% either don't anticipate selling CBD products or are not familiar with the category. Conducted in May, the Drizly study included 200 owners or managers of independent liquor stores across the county.

Court OKs Class Action Settlement

The \$5.54 billion settlement will compensate merchants for excessive interchange fees

BY NACS ONLINE

Judge Margo Brodie of the U.S. District Court for the Eastern District of New York on December 13 approved a \$5.54 billion settlement in the long-running litigation brought by NACS and other merchants against Visa, MasterCard and the largest cardissuing banks (Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, MDL 1720).

The settlement provides \$5.54 billion to the class of merchants that accepted Visa or MasterCard cards at any time since January 1, 2004. The settlement only applies to those businesses that have not already settled their claims against the defendants. The settlement also does not resolve the ongoing class action claims against the defendants seeking changes to the Visa and MasterCard rules. The case seeking that relief will continue to be litigated, along with lawsuits by several groups of merchants that chose to separately pursue their own legal claims.

The settlement of the monetary claims, however, is a turning point in the long-running litigation and will lead to financial relief for participating merchants. Merchants that received a notice about the settlement earlier in the year will receive a claim form once it is ready. Merchants must submit claim forms to receive any settlement funds. More information about the settlement and claims process is available at www.PaymentCardSettlement.com or by calling (800) 625-6440.

The claims process may be delayed by appeals. One expected appeal is likely to address the issue of major oil brands seeking to receive funds rather than the businesses that sell fuel under their brands. That issue was also the subject of a new notice that was approved by the court last week as reported in NACS Daily.

It is not clear when the claims process will start or how long it will take, nor is it clear how long the ongoing litigation against Visa's and MasterCard's rules will continue. Given the likelihood of appeals and the litigation process, merchants should expect that both will take years to reach resolution.

express lines

Don't Expect Another EMV Extension

Visa, Mastercard reject delay request; Conexxus webinars to help fuel retailers ready upgrades

BY NACS ONLINE

For fuel retailers, the deadline for readying automated fuel dispensers (AFDs) to be EMVpayment compliant is less than a year away, and Conexxus research shows that many businesses lag behind in making the move. Although the major credit card companies pushed back an initial 2017 deadline to October 2020, the Merchant Advisory Group (MAG) warns retailers that another extension isn't in the works.

The movement to Europay, Mastercard and Visa (EMV)—a chip-based payment system developed to make credit and debit card transactions more secure has helped reduce payment fraud across the brick and mortar retail verticals. While the rest of the retail industry has migrated to chip payments technology at the point of sale, retail fuel is still working toward EMV acceptance outdoors at the AFD.

Starting next October, losses due to counterfeit fraud transactions at the AFD that are currently being absorbed by financial institutions will be charged back to merchants that have not implemented chip technology at the AFD. The global networks previously acknowledged that the AFD market required more time, providing AFDs a three-year delay from the original liability shift activation date of October 2017, which was two years after the rest of the retail community was subject to the same chip liability shift.

MAG formally requested another delay of two years in light of significant challenges that still remain for AFDs to achieve full chip deployment by October 2020. In response, both Visa and Mastercard have formally stated in writing that they remain committed to the October 2020 liability shift activation date for AFD transactions, according to Laura Townsend, senior vice president of operations for the Merchant Advisory Group, which advocates on behalf of 150 of the largest U.S. merchants accounting for more than \$4.4 trillion in annual sales at more than 450,000 locations across the U.S. and online.

MAG has issued a call to action for all stakeholders to aggressively drive chip enablement to meet the October 2020 deadline. The group recommends that the industry focus on these two areas:

Merchant education and action. Counterfeit fraud is increasing at 23% per year and is expected to reach \$450 million in 2020 at the AFD. Thirteen percent of fuel islands are fully chip deployed as of June 2019, and 10% of transactions at AFDs are already chip on chip. Both of these figures suggest the competition is moving. What does that mean to those undecided or consciously choosing not to deploy chip technology at the AFD? The risk of sharing the \$450 million in counterfeit fraud projected to hit the industry in 2020 is increasing. Planning your migration now is your best bet to avoid risk of financial losses.

Supplier readiness.

For those merchants who plan to deploy chip at the AFD, there are some significant obstacles that they need to overcome. First, among retailers that own and operate fuel sites not currently deployed with EMV at the AFD, more than 40% are waiting on software, Conexxus research indicates. Second, most of the global payment networks have announced support for a streamlined certification process that should reduce the dependencies in the end-to-end certification process to shorten a solution's time to market, yet it is not clear which solution providers will be prepared to support a self-certification program. Third, a recent study among installers of petroleum equipment suggests that the shortage of qualified technicians was easily the biggest business threat cited in the study ranked eighth of 10 on a scale of 1 (not a threat at all) to 10 (major threat).

If merchants are expected to assume liability for counterfeit fraud by October 2020, the industry should be ready to support that migration in time. All stakeholders must take immediate action to accelerate preparedness and mitigate risk to the merchant of fraud losses as soon as possible.

The December 2019 NACS Magazine cover story, "Ready or Not: Ignoring the Deadline for EMV at the Pump Could Be Costlier Than Upgrading," offers an in-depth look at the EMV readiness issue.



Tobacco 21 Now in Effect, FDA Says

BY NACS ONLINE

President Trump last week signed appropriations legislation which raised the federal minimum purchase age for all tobacco products from 18 to 21, among other provisions. The law wasn't expected to take effect until 2020, but the U.S. Food and Drug Administration (FDA) in a notice posted on its website says the law is in immediate effect, meaning retailers across the U.S. cannot sell any tobacco products to customers younger than age 21.

The law gives FDA 180 days to finalize the implementing tobacco 21 rule and requires that it take effect no later than 90 days after being finalized. While the law contemplates a regulation to provide retailers with clear direction on the new rules (including a requirement to verify the age of any purchaser under the age of 30), the law does not require a delay of the age 21 requirement.

FDA posted a notice on the website of its Center for Tobacco Products stating that it views the

age 21 purchase age requirement as effective immediately—even though the agency will not write implementing regulations for months. The notice can be found here and states:

"Note: On December 20, 2019, the President signed legislation to amend the Federal Food, Drug, and Cosmetic Act, and raise the federal minimum age of sale of tobacco products from 18 to 21 years. It is now illegal for a retailer to sell any tobacco product—including cigarettes, cigars and e-cigarettes—to anyone under 21. FDA will provide additional details on this issue as they become available."

This means that, according to FDA, all tobacco products including cigarettes, cigars, smokeless tobacco, e-cigarettes and more cannot be sold to anyone younger than 21. While there are unanswered questions about when FDA plans to enforce this requirement and whether the agency can legally enforce it before updating its regulations, retailers should be aware that FDA views any sale to a person under 21 as a violation of the new law.

Study Shows \$15 Minimum Wage Hurts Small Business

Higher minimum wages "worsen the financial health of small businesses," researchers said

BY NACS ONLINE

A study from the National Bureau of Economic Research found that higher minimum wages adversely impacted small businesses, the Wall Street Journal reports. "As the federal minimum wage rose from 1989-2013, small businesses in affected states suffered 'lower bank credit, higher loan defaults, lower employment, a lower entry and a higher exit rate,' the Journal's editorial board wrote.

A trio of professors from the Georgia Institute of Technology analyzed data from states with a higher minimum wage than the federal standard against a variety of benchmarks. For example, for every \$1 bump in the minimum wage above the federal level, loan amounts through the Small Business Administration fell 9% in those states. "Business entries fell 4% in the year the minimum wage went up. A year later, business exits rose 5%," the Journal wrote.

The study also found that restaurants and retail businesses suffered more because of their reliance on low-skilled workers. The study authors concluded "that increases in the federal minimum wage worsen the financial health of small businesses in the affected states."

Food Stamp Program Rules Tighten

The changes will affect adults up to age 48 who aren't disabled and don't have dependents

BY NACS ONLINE

The Trump Administration has formalized a rule that requires able-bodied and childless food stamp recipients to work at least 20 hours a week to retain benefits, NBC News reports. The move, which will take effect April 1, 2020, may reduce by 700,000 the number of Supplemental Nutrition Assistance Program (SNAP) recipients.

"We're taking action to reform our SNAP program in order to restore the dignity of work to a sizable segment of our population and be respectful of the taxpayers who fund the program," said Agriculture Secretary Sonny Perdue. "Americans are generous people who believe it is their responsibility to help their fellow citizens when they encounter a difficult stretch. That's the commitment behind SNAP, but, like other welfare programs, it was never intended to be a way of life."

The rule impacts those between the ages of 18 and 48 who are not disabled and who have no children. Current rules require this group to work at least 20 hours weekly for more than 90 days in a 36-month period to qualify for benefits. However, states have been able to waive that requirement in areas with high unemployment rates.

The new rule imposes limits on those waivers, mandating that the waivers only be used in areas with a 6% or higher unemployment rate. Currently, the national unemployment rate is 3.6%.

The U.S. Department of Agriculture estimated the change would save the government \$5.5 billion during a five-year period. The agency said 2.9 million adults on SNAP had no dependents and were able to work, with 2.1 million not employed.

make sure to support these mira supplier members



Indicates a supplier program that has been endorsed by MIRA

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D&B Grocers Wholesale	. (734) 513-1715
Devon's Mackinac Island Fudge	. (231) 436-5356
Frito-Lay, Inc.	.1-800-359-5914
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(Jays, Cape Cod, Tom's, Archway, Stella D'oro)	. (313) 931-3205
Sugar Foods Corporation	. (830) 515-0981
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Ronnoco Coffee, LLC

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SpartanNash	(616) 878-2248
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Ohio Lottery1-8	300-589-6446

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TOBACCO ALTERNATIVES

Feel Good Labs/Star Pods
Grinds Coffee Pouches
JUUL Labs
Swisher International

TOBACCO COMPANIES & PRODUCTS

Altria Client Services	(513) 831-5510
R.J. Reynolds Tobacco Company	(336) 741-0727
Xcaliber International	(918) 824-0300

UNIFORMS, LINENS, WORK WEAR & SUPPLIES

1	Detroit Chemical & Paper Supply /
MURA	1st Impressions (586) 558-8805
	UniFirst Corporation (888) 256-5255 ext. 232

WASTE DISPOSAL & RECYCLING

Midwest Recycling 🔟 🖸 (Clothing recycle boxes)		
(313) 304-9099		
Commercial Waste Systems (Cardboard recycling buyers)		
Stamper Facility		

WINE & SPIRITS COMPANIES

W Benchmark Beverage Co 1-800-666-6233
Broken Shed Distilleries
Cheurlin Champagne
Cornerstone Wine Distributor
Diageo
Endless West
Heaven Hill Distilleries1-800-348-1783
Luxco
Proximo Spirits
Remy Cointreau USA
Tenute Deloguinfo@tenutedelogu.com
Vision Wine & Spirits

WINE & SPIRITS DISTRIBUTORS

European Wine Imports of Ohio, LLC	(216) 426-0979
Great Lakes Wine & Spirits	1-888-860-3805
Lagniappe Beverage	(773) 358-2344
RNDC of Michigan	1-888-697-6424

FOOD RESCUE / FOOD BANKS

MICHIGAN

Feeding America West Michigan Food Bank		
Feeding America West Michigan Food Bank -		
Benton Harbor		
Feeding America West Michigan Food Bank -		
Cadillac(231) 779-0056		
Feeding America West Michigan Food Bank -		
Ishpeming(906) 485-4988		
Feeding America West Michigan Food Bank -		
Sault Ste. Marie		
Food Bank of Eastern Michigan(810) 239-4441		
Food Bank of South Central Michigan (269) 964-3663		
Food Gatherers		
Forgotten Harvest		
Gleaners Community Food Bank (866) GLE-ANER		
Greater Lansing Food Bank(517) 908-3680		
Kalamazoo Loaves & Fishes		
The Manna Food Project(231) 347-8852		
Western Upper Peninsula Food Bank (906) 482-5548		

OHIO

Akron-Canton Regional Foodbank(330) 535-6900		
Cleveland Foodbank(216) 738-2265		
The Foodbank, Inc		
Freestore Foodbank		
Mid-Ohio Foodbank(614) 274-7770		
SE Ohio Foodbank & Kitchen(740) 767-4500		
Second Harvest Food Bank of Clark, Champaign and Logan Counties		
Second Harvest Food Bank of North Central Ohio		
(440) 960-2265		
Second Harvest Food Bank of the Mahoning Valley		
(330) 792-5522		
Shared Harvest Foodbank(800) 352-3663		
Toledo Northwestern Ohio Food Bank (419) 242-5000		
West Ohio Food Bank(419) 222-7946		

ILLINOIS

Central Illinois Foodbank	.(217) 522-4022
Eastern Illinois Foodbank	.(217) 328-3663
Greater Chicago Food Depository	.(773) 247-3663
Northern Illinois Foodbank	.(630)443-6910
Peoria Area Food Bank	.(309)671-3906
River Bend Foodbank	.(563)345-6490
St. Louis Area Foodbank	.(314) 292-6262
Tri-State Foodbank	.(812) 425-0775



mira calendar



JANUARY 25, 2020

MIRA'S 104TH ANNUAL TRADE DINNER & BALL

Join over 800 leaders in the food, beverage & petroleum industries at this one-and-only black tie gala. Delight in fine cuisine, dancing and entertainment and engage with colleagues and friends to celebrate the strength and vitality of MIRA and the members it serves. *The Mirage // Clinton Township, MI*

APRIL 28, 2020



MIRA's longest running trade show has retailers looking to fill their shelves for the spring and summer months. The Annual Innovations Buying Show is known for high-quality attendees, non-stop interaction and exhibitor satisfaction. Admission for MIRA members is free. Must be at least 21 years old to attend this show. *Andiamo Banquet & Events // Warren MI*



MAY 2, 2020

MIRA'S 3RD ANNUAL CHICAGO METRO GROCERS GALA

Enjoy fine cuisine, network, dance and enjoy live entertainment with more than 500 industry leaders. Sponsorship opportunities available. *The Empress // Addison, IL*



JUNE 18, 2020 MIRA'S 15TH ANNUAL OHIO GOLF OUTING

This outing is a social event where retailers, wholesalers, manufacturers and service providers all come together to have a little competitive fun. A day on the course includes breakfast, dinner and 18 holes of golf! *Shale Creek Golf Club // Medina, OH*

publishers statement

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