

BottomLine



THE VOICE OF MIDWEST INDEPENDENT RETAILERS // VOL. 31, NO. 3 // MARCH 2020

**Donate, Don't Ditch
the Food That can
be Rescued**

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to 1975 // PAGE 20

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For More Information Please Contact Our Midwest Region:

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BottomLine



THE VOICE OF MIDWEST INDEPENDENT RETAILERS
VOL. 31, NO. 3 // MARCH 2020

features



COVER STORY //

DONATE, DON'T DITCH THE FOOD THAT CAN BE RESCUED

All food products have an expiration date. The fresher the product, the faster it goes bad. This is why MIRA has partnered with food rescue organizations for decades and encourages members to participate as well.



TITO'S: A TOP VODKA CHOICE

No fancy bottle, no glitz, no nonsense. That is Tito's Vodka. It's not housed inside a frosted or painted vessel. Tito's Vodka is poured out of a simple glass bottle with a brown label that was designed by Tito, himself in 1994 with simplicity and authenticity — "two elements at the core of everything they do," according to their website. The label is handmade just like product inside the bottle.



A LOOK BACK AT THE ASSOCIATION 1970 TO 1975

This decade in the history book is titled A Time to Recover because it was following the 1967 riots. There was a focus on race relations with store owners and customers continued to be a significant issue in the city of Detroit. "I knew the city residents well," said Jerry Yono, AFD chairman in 1979. "My role with AFD at the time had a lot to do with being a peacemaker any time an issue arose."



president's message

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

Happy Saint Patrick's Day

Slow down and sell the four-leaf clovers! Time continues to fly on by. We are almost done with one fourth of 2020 and what a year it is turning out to be. This is MIRA's 110th year in existence and we have so much to show for it. We will be releasing the second edition of our history book later this year that will break each decade into a chapter except for the first fifty years, which will be one chapter on its own. Stay tuned because we are also planning a launch party for the second edition of our history book. I know right now many of you are worried about the Corona virus and the health and safety of your family, your employees and your customers. All I can tell you is stay tuned to best practices when we send them out occasionally via our weekly eblasts. If you do not have your email on file with us or your cell phone, please call the office and have them add it to your file so we can send you information weekly versus only depending on our monthly magazine. Our best advice right now is always wash your hands, sanitize common work areas like registers and do not touch your eyes, nose or mouth. It spreads like the flu and more people die from the flu annual than the Corona virus.

On a brighter note, we would like to welcome two new staff members to our office, Ricki Wines, who will head up our events and publications efforts: and Andrea Hesano who will help her in that endeavor. A lot of people do not realize how valuable our events and publications are to every member. All the revenue from our events and publications go towards subsidizing your dues! So, if tomorrow the board decided to get out of the events and publications business, you would not only lose the valuable information and connections, but your dues would almost double in order to keep the same service levels. Please spread the word and help support our events and publications! As most food related associations in our industry continue to fail or go out of business, people from all over the country keep asking me how we continue to grow. There is no easy answer other than we do not run a traditional association, but rather, we run our association based on what our members tell us they want. This is why it is so important that we hear from you regarding all issues. No issue is too big or too small for us to look into, if it makes your life easier and keeps you as a dues paying member. Just last month, Juan Escareño and I were flown to San Diego, California to speak at the National Grocers Association annual convention regarding SNAP (food stamp) benefits and incentives, since we started this program in Grocery Stores here in Detroit in 2013. Now we are looking to growing SNAP incentives into Illinois and Ohio. For those grocery stores who would like to attend our annual Double-Up Food Bucks meeting and sign up for this SNAP incentive program, please call the office to RSVP for our March 24th meeting. Being a native Southern Californian, it was nice to visit my family during the conference and it was a good reminder of where everything started for me in this industry, at my family's grocery stores in San Diego, that are now out of business. It is a constant reminder that if you do not reinvest and reinvent your business and stay on top of things, you will become part of history. In closing, this election year is sure to be nasty and negative like never before, so please push against the negativity and be an example of love, caring, kindness and customer service to your family, employees and customers. Remember, we are all on this earth together and tomorrow is not promised, just look at the tragedy that took the lives of the 41-year-old Kobe Bryant and his beautiful 13-year-old daughter Gianna. Rest in Peace Kobe and Gianna Bryant. May God continue to bless you and your families! ■

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Scholarships Available: Encouraging Customers to Apply

■ BY VANESSA DENHA GARMO // DENHA COMMUNICATIONS & COACHING*

MIRA members have garnered a reputation of not only serving the customers but building a relationship with the community. “Our members donate to block clubs, church groups, boy and girl clubs,” said Auday Arabo, President and CEO. “Members have allowed customers to buy on credit, which would never happen with a chain store. Many of our members know the customers and their extended families. They are invited to weddings, birthdays and anniversary parties. That is why it makes so much sense for our members to promote the scholarship program to their customer base.”

Some are making a concerted effort to do that this year. “We have not done a good job in the past communicating with our customers about the program, but this year we

have made an effort to talk about our scholarship opportunities. We have two or three customers applying this year,” said Mike Mitchell, Markham Enterprises and MIRA board member. “We have daily customers who we have built great relationships with and I believe in that one-on-one conversation.”

Mitchell shares with customers the benefits of the program and about the annual scholarship luncheon. “As a board member, it’s my favorite MIRA event,” said Mitchell. “The millennials have gotten a bad reputation but when you go to this event and you hear the accomplishments of these students, it’s so impressive.”

In previous years, Mitchell has had children of employees from his three locations apply for scholarships, but this year he is excited about expanding the opportunity to customers. “Having posters in the store promoting the scholarship program is great, but nothing beats that one-on-one conversations. You need that personal reinforcement.”

Mitchell is encouraging all MIRA members to do the same. “We are so bombarded with messages from our phones, social media, driving around town, messages are everywhere,” said Mitchell. “We need to have that face-to-face interaction. It’s that personal touch that puts the icing on the cake. Part of the reason the smaller retailers have survived for so long is because of the relationships they have with their customers. This is a personally rewarding opportunity and we have to make it personal for them.”

Each year the Midwest Independent Retailers Foundation (MIRF) awards academic

scholarships worth \$1,500 each to extraordinary students.

ELIGIBILITY

Eligible students include high school seniors, college freshmen, sophomores or juniors who are:

- A student employed by a MIRA member company for at least six months as of January 1, OR
- A student whose parent is a full or part-time employee of a MIRA members company for at least one year as of January 1, OR
- A MIRA member customer and their children

WHO IS ELIGIBLE FOR THE MINORITY SCHOLARSHIPS?

- A high school senior, college freshman, sophomore or junior
- 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

There are rules and regulations and information about the entire program that is found online at www.miramw.org/foundation/scholarship-application.

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. ■

**Writers with Denha Communications & Coaching are content creators for the MIRA Bottom Line.*





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Scott Anderson (708)307-5460



petroleum news & views

EDWARD WEGLARZ // MIRA DIRECTOR, PETROLEUM

Illinois Municipal Motor Fuel Tax Allowed to be Imposed by Municipalities in Cook County

Illinois Public Act 101-0604 (Amended) will allow municipalities located in Cook County (either wholly or in part) to impose a Municipal Motor Fuel Tax beginning July 1, 2020. The tax may be imposed by both home rule and non-home rule municipalities on sales of motor fuel at retail within the municipality for the operation of motor vehicles upon public highways or for the operation of recreational watercraft upon waterways. The Municipal Motor Fuel Tax does not apply to wholesale sales of motor fuel for resale. To be subject to the tax, the sales must be for the purchaser's use or consumption and not for the purpose of resale.

A municipality in Cook County can impose the Municipal Motor Fuel Tax at a rate not to exceed 3¢ per gallon. The tax must be imposed in 1¢ increments. That means, the municipality must impose the tax at the rate of 1¢ per gallon, 2¢ per gallon, or 3¢ per gallon, and cannot impose the tax at the rate of any fraction of a cent.

P.A. 101-0604 will have no immediate effect on municipalities in Cook County. Before the Municipal Motor Fuel Tax can take effect in the municipality, the municipality must adopt an ordinance or resolution imposing the tax.

If you currently impose a motor fuel tax under your general home rule authority, the Municipal Motor Fuel Tax authorized to be imposed under the Municipal Motor Fuel Tax Law does not affect that tax. The Municipal Motor Fuel Tax Law creates new explicit statutory authority for any municipality in Cook County to impose the Municipal Motor Fuel



Tax, which IDOR will administer. If you decide to impose a Municipal Motor Fuel Tax under the Municipal Motor Fuel Tax Law, you may retain or repeal any existing motor fuel tax you currently impose under your general home rule authority. IDOR, however, does not have jurisdiction over, or administrative responsibility for, any motor fuel tax imposed under your general home rule authority.

SAVING ON THE OIL SPILL TAX

Fuel retailers and wholesalers can save money by examining their invoices and taking a hard line on not paying the amount listed under "oil spill tax," energy tax expert Oscar Garza said during a workshop. The attorney said it is refiners who are responsible for paying the charge and they receive the tax benefits for doing so. Still, some of them then pass the fee on down the line to the retailer.

The oil spill tax "has nothing to do with the refined product going into the tank," said Garza, a Houston-based attorney, whose firm specializes in energy tax issues. The tax is 9cts/bbl on crude oil brought into refineries, and some refiners then use a formula to calculate how many gallons of motor fuel they produce from those barrels, and then tacking a fee onto invoices. ■



Meat Snacks

The healthy snacks market continues to grow. The growth is primarily attributed to rising consumer focus on nutritional values and a need for on-the-go snacks. Consumers today favor high vitamin and protein options, as well as low-calorie products. Every year millions of people commit to more healthy lifestyles. Meat snacks are helping to lead the way and are expected to remain strong throughout 2025. This creates an opportunity for retailers to attract these consumers by merchandising more high-protein snacks that offer healthy alternatives to high calorie sweets. These consumers primarily snack to fight off hunger and they are well aware of the effects of protein consumption. Protein is the most highly sought-after nutrient in foods and beverages, according to Technomic's *2018 Healthy Eating Consumer Trend Report*. Forty-one percent of consumers said they specifically seek out items that are high in protein. Most of those said they would even pay more for such items. Consumers still want to enjoy their snacking. Flavor and taste are very important. They are the top attributes consumers seek in a snack, cited by 81% of consumers, according to the report. Beef jerky is one of the most promising snack segments in the c-store channel. In addition to being high in protein and packed with flavor, jerky and other meat-based snacks offer the added benefit of portability, giving consumers the ability to consume their snack whenever they choose.

I strongly urge every C-Store retail operator to examine what they are doing with meat snacks and evaluate their product mix. With the changes in consumer demands, the meat snack category has been one of the categories that retailers typically do not commit enough space in their C-Stores. Many

retailers commit to an end cap or three to four feet in line and their selection is limited to primarily Slim Jim meat sticks and Jack Links Beef Jerky. The category has evolved beyond just these brands. I would recommend taking a strong look at committing eight feet of space to this category. Not every C-store is the same, but my recommendation would be to take a hard look at the space you have committed to the grocery and HBC categories. For most retailers these are categories that can be optimized and be given less space with little to no impact to sales. When analyzing your sales, you may find that the sku's that fall in the bottom 30% of sales aren't paying for the space they are taking up in your store. I recommend doing this exercise with your wholesaler. Once completed, I believe you will realize the space can be better utilized by expanding the meats snack category.

While Jack Links is a significant driver of beef jerky, there are other brands driving innovation and have significant consumer appeal. Brands like Old Wisconsin, Dukes, Tillamook and Old Trapper. It is also important to not forget about local and regional brands like Wild Bills and Dearborn Brands. Regional brands are a great way to really enhance your offering. Slim Jim isn't the only meat stick that should be in your set. Old Wisconsin, Dukes and Old Trapper have some great tasting sticks too. I personally like the FATTY Meat Stick. They are made with grass fed beef and pork raised without antibiotics.

Discuss this strategy with your wholesale distributor. They can give you a list of products they are stocking and some product ranking information. If you are reluctant to jump in with both feet, then consider starting with a secondary rack. From an investment strategy, this is a low risk proposition. Most, if not all of these products will be guaranteed from your wholesale distributor if the product does not sell and goes out of date. I'm sure within a few months you will be happy you expanded this category. ■



government relations report

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

The Opportunity in Chicago

"The man who lives in a small community lives in a much larger world. He knows much more of the fierce variety and uncompromising divergences of men."

— G.K. CHESTERTON

Chicago has tremendous challenges for the independent retailer. We operate in a political environment more concerned with plastic straws than ensuring business can compete and succeed so that families may eat. The weight of progressive reforms is borne most heavily on the independent retailer who has to make his business succeed in challenging environments. MIRA is committed to helping our retailers by advancing initiatives that will reduce some of the burdens forced upon our members.

In Chicago there has been significant work in the background to lay the groundwork on a campaign to seek a tax abatement for most of the food retail stores that are located in Cook County. Your lobbyist and Director of Government Relations at MIRA are seeking unique ways to win for you and your family. To maximize our reach in Cook County, we are building a taskforce with institutions interested in food access issues. This will help move conversations and give politicians a better understanding that hurting retailers, hurts their residents seeking good jobs and good food.

These are some of the following campaigns we are currently spearheading:

TAX ABATEMENT FOR STORES IN COOK COUNTY

We are meeting with key politicians in local and county government that have shown interest in this concept. They recognize the disparity of competing against Indiana and Will County for business. We have drafted the language for the county ordinance to begin our conversations with elected officials. We have met

minimal resistance on this because we are educating folks on food access for people in poverty. By next month, we will have a draft ordinance ready for us to ask county officials to support. What we are seeking:

- A property tax credit for full-scale grocers in Cook County serving food deserts;
- The property tax credit would be a freeze in any future increases to their property tax assessments;
- The tax credit would only apply to properties that are active;
- Only full-service stores offering a meat, deli, and bakery department would be eligible.

DOUBLE UP FOOD BUCKS, MORE SNAP MONEY FOR YOUR STORES

Double Up Food Bucks is a program in the Farm Bill geared towards incentivizing people on the LINK card to buy more produce. E.g. of the program: A full-scale store in Detroit that caters to the Latino community averages \$7,000 in sells each month just off this program. It's not a huge number but the owner testifies to the increased foot traffic and customer loyalty. His Bridge Card (LINK) sells are only 21% and it has helped him move more produce.

MIRA helped create this concept in Michigan and we are working on expanding it in Illinois with the NGA. We are setting up meetings with foundations, non-profits, and universities to discuss rolling out such a program in Illinois. We'd be happy to set up a conference call with a store owner if you are interested.

FAIR WORK WEEK

We are reviewing the rules that have been drafted. A meeting with the new director is being scheduled for next week. We will provide our recommendations to the City of Chicago for your review in a few days.

TIMELINE

- **Tax Abatement:** have it introduced within the next 3 months.
- **Double Up Food Bucks:** within a year, have it running. ■



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ohio lobbyist report

TERRY FLEMING // TC FLEMING & ASSOCIATES

Ohio Assembly moves into Action...S l o w l y

As expected, the Ohio General Assembly is off to a slow start in 2020. This is an election year and legislators are always careful not to do anything too controversial prior to the March Primary and November General Elections. Just as a quick reminder, all 16 Ohio Congressional seats are up this year and Republicans are trying to win back U.S. House majority while Democrats are hoping to keep the House and pick up a majority in the Senate, as well as electing a Democrat President. There is no U.S. Senate race in Ohio this year.

On the State side, there are 2 seats up for Ohio Supreme Court and Democrat's could gain majority if they win both seats. All 99 Ohio House members and 17 Ohio Senators face elections but it would take a miracle of monumental proportions for Democrats to do anything but cut into the majority numbers. Currently Republican's control the Senate by a 24-9 margin and the House by a 62-38 margin.

On the legislative front, the Senate is considering House-passed HB71, which deals with minimum markup of tobacco products effecting wholesale pricing only. The Senate also has taken no action of House-passed HB242 and its companion bill SB222. Both bills would override Home Rule and banning plastic bags or imposing tax on plastic bags. The House has also passed HB247 urging Congress to abolish e-check in Ohio, but the Senate has yet to act. HB257 was recently introduced that would provide tax credits for businesses that install electric charging areas at their business locations.

On the local level, cities such as Toledo, Cleveland and Columbus are very active in dealing with tobacco and vaping issues. If you have concerns about the city you live in, please contact MIRA. MIRA has asked Ohio Representative Seitz to hold off on liquor meetings in Ohio as they reassess their options. If you own a service station and haven't already had a visit from your county auditor, you will soon, as they are required to post both state and federal tax rates for gasoline on pumps or front doors at convenience stores at no cost to you. This was part of the Transportation Budget passed last year. ■



michigan lobbyist report

MATT MINER // CAPITOL STRATEGIES GROUP

Michigan Legislative Update

BILLS TO UPDATE MICHIGAN'S BOTTLE LAW PASS HOUSE COMMITTEE

In early February, the House Regulatory Reform Committee passed a package of bills meant to modernize and redistribute monies collected by the unclaimed bottle deposit fund. House Bills 5422-5425 reimburse distributors for the cost of proposed reporting regulations designed to stop unscrupulous distributors who deliver out-of-state beer and pop to stores to avoid Michigan's 10-cent bottle deposit law.

Currently, any funds not paid out to someone returning an empty beer or pop can is put into this unclaimed bottle deposit fund. In 2018, the fund brought in \$42 million. Of that, 75% goes to the Cleanup & Redevelopment Trust Fund while the remaining 25% goes to the grocery stores for collecting and disposing of all the empty bottles and cans. Under this new legislation, the formula is as follows:

- The Department of Environment, Great Lakes and Energy would get 40% of the fund, but 75% of that would go to the Renew Michigan Fund specifically for recycling initiatives. The remaining 25% of the initial 40% would go the old CRTF.
- Grocers would continue to get 25%
- Distributors would get 20%
- The Michigan State Police would get 15% to help with enforcement of the new crackdown on unscrupulous distributors.

The bills have been referred to the House Ways and Means Committee where they are expected to pass before the Legislative Spring Break.

REPRESENTATIVE HALL'S EXPUNGEMENT BILL PREPARED FOR COMMITTEE TESTIMONY

A bill to disqualify certain liquor license violations that are at least seven years old from consideration by the Michigan Liquor Control Commission has been introduced and prepared for testimony in the House Regulatory Reform Committee. House Bill 5428 was sponsored by Representative Matt Hall.

"Fines and penalties for liquor license violations should be fair and just" said Representative Matt Hall. "When a licensee has demonstrated consistent compliance with state laws and rules, there should be an expiration date for certain infractions. My legislation ensures safety and compliance and encourages best practices amongst licensees in Michigan." ■



• INVITATION •

Team Sledd expo20 ...DRIVING THE FUTURE

**THURSDAY
ONLY!**
Dinner Same Night
April 9th

**The Convenience Store Landscape
Is Rapidly CHANGING...Will Your Stores ADAPT?**

THE DISRUPTIVE TRENDS AFFECTING YOU...

Competitors like dollar stores, grocery, deep discount, pharmacy, and AMAZON are working to capture your weekly traffic & sales.

Labor availability is tight & employee costs are up.

Tobacco and gasoline margins continue getting squeezed.

New government regulations are affecting Vaping and CBD.

Emerging Delivery services like Grub Hub, Uber Eats and Door Dash keep your customers at home and cars off your lot, flattening foodservice sales.

Changing customer expectations, especially among Gen Y & Z.

Retail mergers are creating mega-companies with deep pockets.



Dairy Supply in Disruption!



The bankruptcies of Borden and Dean's Foods are creating huge shortages for convenience stores.

Learn How Team Sledd Can Help Right Now!

For information on attending our Expo, please contact John Monto at 304-243-1820 or at jmonto@teamsledd.com by March 20th

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April 9th 2020
Show Time 9:30 to 5:30



michigan lottery report

BRIAN O. NEILL // MICHIGAN LOTTERY COMMISSIONER

Michigan Lottery Applauds Top Lottery Retailers

The foundation of the Michigan Lottery's success is the network of 10,500 retailers that serve as the Lottery's public face to millions of players each year. Since the Lottery began nearly five decades ago, our retailers have played an integral role in the continuing success of the Lottery.

The Lottery team works diligently to develop new games that create player interest and excitement and result in increased customer traffic for retailers. By working closely with retailers, the Lottery had record sales of nearly \$3.9 billion in 2019, leading to the highest ever retailer commission total: \$287 million.

Another record also was set in 2019 with 350 retailers surpassing \$1 million in Lottery sales, including 18 retailers topping the \$2 million sales mark.

The Lottery would like to thank all of its valued retailers for all their past efforts and wish them continued success in 2020 and beyond. ■



Don't Miss Your Winning Chance!
Purchase your tickets online today.



When you play, *Students*
WIN!

About 97¢ 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 2019 fiscal year, the Lottery provided more than \$1 billion for Michigan's public schools, its fifth record contribution in a row. Since it began in 1972, the Lottery has contributed more than \$23 billion to support public education in Michigan. For additional information, follow the Michigan Lottery on Facebook, Instagram, Twitter and online at www.michiganlottery.com.



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Overall odds of winning a Fast Cash game are from 1 in 2.88 to 1 in 3.50. Overall odds of winning the Progressive Jackpot: 1 in 400,000. Knowing your limits is always the best bet. Call the Michigan Problem Gambling Helpline for confidential help at 1-800-270-7117.



Donate, Don't Ditch the Food That can be Rescued





All food products have a best-by date. The fresher the product, the faster it goes bad. This is why MIRA has partnered with food rescue organizations for decades and encourages members to participate as well.

“It’s the reason we are not giving out so much product at food shows,” said Auday Arabo, MIRA President and CEO. “We donate surplus food to food-rescue programs.”

MIRA has built strong relationships with both Forgotten Harvest and Gleaners Community Food Bank.

The retail relationship with the food rescue agencies are vital. Grocers can do their part in the effort to rescue food. “Too many grocers discount expired food or close to expired food, which actually has a negative effect on the industry,” said Arabo. “Customers complain that grocers are selling bad food. If they donate the food, it’s a win/win. They help people in need and it improves their reputation among customers and helps the industry.”

“Our managers do a great job ordering products that we typically do not have much waste,” said Joe Gappy, owner of Prince Valley Market. “If you do not watch the back door, vendors will send stressed products, going out of date products, and even will send you expired products. We try to minimize bad products coming into the building first. With all of that being said, we still donate what we can to All Saints Church, who send over a truck every Monday.”

The church has an outreach program where they help people in need and a program where they help people with addictions, “so we pass on all of the items that are still good, and anything else that we have that is going bad basically goes in the garbage.”

Gappy has been working with the local church for seven years. “We have a great relationship where we know they are pulling up on Monday morning and we have stuff for them, whether it is a single case or multiple cases of product.”

Gappy stays involved in his surrounding community, and has been for years. “Whether you are donating cash, gift certificates, or food, it’s good to give back to the community that gives you business, in order for you to stay in business,” he said. “If you have product to give away, you’re better off giving it to a nonprofit and getting the write off, that way you get something in return, and not sell bad products in your store.”

The Kassa family has always been actively involved in the community as well. “We support local charities, and

causes, such as Relay for Life, Leukemia fund raisers, police, veterans, and MIRA’s Foundation,” said Phil Kassa, co-owner of Heartland Marketplace.

Heartland Marketplace stores have been participating in food rescue programs for years. “Our stores help in the food rescue by donating to Forgotten Harvest or local churches, about three to four days a week,” said Kassa. “All the stuff donated is still good food. We can’t get full revenue for it, so instead of reducing it, we give it away.”

Suppliers also donate product to organizations helping others in need. “We work with a variety of local organizations; many are grassroots organizations,” said Orlando Woods, Vice President for Faygo. “We donate to MIRA’s Turkey Drive every year, we work with the Capuchin Soup Kitchen and an organization called Community United Project (CUP) that works closely with other MIRA members.”

Faygo has been embedded in Detroit and the surrounding area for decades. “The community is very important, more so now than ever, especially in Detroit area,” said Woods. “People are moving out and others are moving in to the city. It is a transit community today and we want to engage these people and build new relationships. We all need to do our part to give back.”

Forgotten Harvest is a non-profit food rescue organization that collects food that would otherwise go to waste and delivers it free of charge to organizations feeding the hungry in Metro Detroit. In 2019, the non-profit rescued & distributed just under 46 million pounds of food to more than 247 emergency food providers throughout metro Detroit.

Forgotten Harvest covers about a 2,000 square mile area rescuing food in Oakland, Macomb and Wayne counties. They are celebrating their 30-year anniversary this month. “We see the need and we try to fill it,” said Christopher Ivey, director of communications for Forgotten Harvest. “We are always looking for diverse and healthy food options to offer the community in need and we need the support of the retailer and grocer who may be operating in the neighborhoods where there is food insecurity.”

There are an estimated 584,000 people in the metropolitan Detroit area that are living in food insecure conditions; “They have no idea when their next meal will be coming. It is based on poverty levels and income rate.”

Forgotten Harvest offers a variety of ways for stores to donate food. “We want all stores to participate in whatever way they can,” said Ivey. “We don’t want

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food to go to waste. If they would eat it, then others will; it can be bruised. As long as it is edible and safe, they can donate it. They are helping the community with the donation and getting a tax donation credit and this allows them to feel better about helping community in which they are located.”

Headquartered in Detroit, Gleaners Community Food Bank operates five distribution centers in Wayne, Oakland, Macomb, Livingston and Monroe counties and provides food to 528 food partner soup kitchens, food pantries, shelters and other agencies throughout Southeast Michigan. In 2018, Gleaners distributed more than 43 million pounds of food to those in need. On average, Gleaners distributes 96,000 meals a day, which included providing nourishing food to 171,000 school children yearly.

“Gleaners and/or Gleaners’ partner agencies in Livingston and Monroe counties work with retailers to share food with the community. Stores like Kroger, Busch’s, Costco, Walmart, Meijer, and Target have their food departments remove product that may otherwise go to waste and donate it to our communities. This food may have a shortened shelf life, but is safe for people to eat,” said Bridget Brown, Director of Food Secure Livingston for Gleaners Community Food Bank of Southeast Michigan. “This food is picked up multiple times a week and is distributed through our network to families that are food insecure.”

Gleaners is reporting that in 2019, more than 580,000 pounds of this rescued food was donated just in Livingston County which is nearly half of all the pounds donated to Gleaners in Livingston County for the year. “By working with Gleaners, these retailers are able to distribute food in a quick and efficient way, reducing waste and providing not only bakery items but other much needed items such as frozen meat and a variety of produce,” said Brown.

Both Gleaners and Forgotten Harvest are finding new ways to rescue food.

Gleaners has a program in partnership with Feeding America called Middle Mile which leverages technology to enable businesses with smaller donations to donate their product in a cost-effective way. Currently this pilot program is only available for food donors in Livingston county, where Gleaners is exploring new food access points for food insecure students.

Meanwhile, Forgotten Harvest is actually re-implementing their original program launched 30 years ago called Harvest Heroes. “This is how it all started with

Nancy Fishman’s vision. We started with one person in a car picking up anywhere from 20 pounds to 100 pounds of food, whatever someone can carry,” said Ivey. “We can’t always justify sending out a 24-foot truck. With smaller stores, we have Harvest Heroes going out and other ways to pick-up and rescue food.”

Ivey explained that they also act as connectors between stores and food pantries. “We will put retailers together with actual locations to donate food that families in need can go pick up. We are that bridge between the grocer and getting the food to those in need.”

They also rescue food at tradeshow such as MIRA’s Innovations Buying Show, MIRA’s Holiday Beverage Show, and Lipari’s Food Show. “We are the official charity for the Lipari Food show,” said Ivey. “We have about 25 volunteers at the show gathering the leftover food to be donated.”

“Grocers and other food donors need to know that what they do in the store to prepare food donations instead of putting food to waste really does make a difference,” said Brown. “That food is being put on the table of families that are struggling with medical issues, family tragedies, job loss, and other hardships. If it weren’t for this effort, we wouldn’t be able to provide as much healthy food to our community and Gleaners would certainly struggle to provide balanced meals on a frequent basis.”

“We know that transportation is an issue,” said Ivey. “We don’t want people to drive across town to get food. We have single parents working long days to make ends meet. We want to make getting good as easy as possible and break this cycle of poverty so prevalent in our communities.”

Forgotten Harvest partners with pantries around Southeast Michigan. “People in need don’t need that stress of trying to figure out how to feed their kids on a daily business. Kids are worrying about eating at school sometimes school is the only real meal they are getting. That is why donating food to food banks and pantries are so important. We need to provide families food when kids are not in school.”

“We are extremely grateful for the support from the community and in particular these stores,” said Brown. “Their employees truly care about the difference they can make and we are thankful that we can partner together to nourish our community by feeding hungry people.”

“I would say other retailers, you have nothing to lose by giving to Food Rescue programs, and everything to gain by helping others who are less fortunate,” said Kassa. ■



Tito's: A Top Vodka Choice

No fancy bottle, no glitz, no nonsense. That is Tito's Vodka. It's not housed inside a frosted or painted vessel. Tito's Vodka is poured out of a simple glass bottle with a brown label that was designed by Tito, himself in 1994 with simplicity and authenticity — “two elements at the core of everything they do,” according to their website. The label is handmade just like product inside the bottle.

It is a product born and raised in Texas. Tito built Texas' first legal distillery on 12 acres of land in southeast Austin, which he bought with a credit card check and financed through the seller.

“Our founder, Tito Beveridge, started distilling vodka in a small shack in Austin, Texas more than 20 years ago,” said Frank Polley, VP of Trade Marketing for Tito's Handmade Vodka. “From the beginning, it was Tito's intention to create a smooth vodka that connoisseurs and everyday drinkers alike would enjoy. He worked day and night perfecting his corn-based recipe by employing the same pot still methods applied to fine single malt scotches.”

The Vodka is distilled from corn, a natural product that is gluten-free. It is a certified Gluten-Free by the Gluten Intolerance Group (GIG). Some folks add a bit of mash back into the spirit after distillation, which could add gluten, but we don't do that.

They know there is competition in the marketplace but it's not their focus. “We look at what's happening with the competition, but we don't spend a lot of time worrying about it,” said Polley. “We make one product and we do our best to make it well. Instead, we focus our efforts on giving back, because at Tito's, we believe vodka is our medium to make the world a better place. Our fans see that come through in our Love, Tito's program, where employees are empowered to give back to local, national, and global charities supporting disaster relief, the environment, military and veterans, healthcare and medical research, food and beverage industry workers, arts and culture organizations, the LGBTQ community and more.”

They also have our Vodka for Dog People program “which supports the truest form of love on the planet, our pets,” said Polley. They use old-fashioned pot stills and taste-test every batch. The process, similar to that used to make fine single malt scotches and high-end French cognacs, requires more skill and effort, but we think it's well worth it.

They support nonprofits all around the country (and the world!) through our Love, Tito's program. Tito wants to make the world a better place, and has empowered each member of the Tito's Team to figure out what that means to them and take action.

Tito's Handmade Vodka is available in all 50 states across the U.S. and over 140 markets internationally. You can find it in any store that sells spirits and most bars and restaurants. Additionally, you can buy Tito's online through Drizly, Minibar or a host of other online services.

“Vodka is the large spirits category, relevant to a wide variety of cocktail solutions, which makes it appealing to a wide variety of people as well! We believe that all consumers have a good chance of liking Tito's - but only if you're 21+, of course!” said Polley.

Fans looking to make Tito's cocktails of their own can visit our website at www.titosvodka.com/recipes. There, you'll find recipes ranging from tried and true classics like the Tito's Martini, Tito's and Soda and of course Tito's Bloody Mary to more creative expressions of popular drinks like the Tito's Gimlet or Tito's American Mule. We have numerous other great-tasting ideas that may appeal to fans and are fun to try.

For fans who are looking for flavored vodka, we recommend checking one of nearly 30 infusion recipes on the site. We've got everything from fresh and dried fruit to jalapeno infusions, vanilla or the Tito's Cucumber Infusion, a fresh fan favorite to whip up when they want to take their cocktail game to the next level.

To this day, Tito's continues to make its product in the same place it was made two decades ago. They stayed true to our original product, eschewing flavors in favor of making a single high-quality vodka at a great price point. There's a lot of vodka out there to pick from, and for many Tito's is the top choice.

“When looking at 2020 and beyond, we'll continue to see the vodka category grow as more consumers lean into personal wellness and move away from high-sugar spirits and cocktails. Consumers are beginning to swap their usual cocktails for options that are light and incorporate fresh, seasonal ingredients,” said Polley. “Additionally, craft brands will continue to be a strong draw for consumers, and we expect to see Tito's gain more traction in this category as more people discover our high-quality product.” ■

— REBATES —
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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



Each month, MIRA will feature a decade in the association's history. During our 110-year existence, the association has seen many changes along the way. We are updating the history book this year and to celebrate, we are sharing with you snippets from each decade.

A Look Back at the Association 1970 to 1975

This decade in the history book is titled *A Time to Recover* because it was following the 1967 riots. There was a focus on race relations with store owners and customers continued to be a significant issue in the city of Detroit. "I knew the city residents well," said Jerry Yono, AFD chairman in 1979. "My role with AFD at the time had a lot to do with being a peacemaker any time an issue arose."

Recovering from the riots was a focus in the early '70s. "Detroiters did not make it easy for the store owners," said Yono. "There was a lot of tension and often it made it difficult for businesses to operate. You saw an exodus of the large chain stores. Jewish owners sold their businesses to Chaldeans who have kept those stores open for decades to come."

AFD spent a significant amount of time promoting good operators and encouraging members to get involved in the community. "These store owners had fewer issues," said Yono. "They knew their customers well."

Yono, like others, was involved in community block clubs, church groups and others. "We always encouraged owners to keep the stores clean and build solid relationships with customers. Post the riots, that became a foundation for the organization."

Lobbying efforts continued to grow in the 1970s and it was a focus for Yono and other members who went to Lansing on a regular basis to talk about industry issues such as lottery, liquor and other licensing issues. "We also argued for more percentages for the services we provided for the state," said Yono. "Anything we could do for the retailer, we did. In the 1970s well into the 2000s, some retailers will say, 'What do you do for us?' Yet, they benefit greatly from the association and some don't pay dues. It wasn't right in the '70s and it isn't right in any time period. The association has been instrumental in the success of the food and beverage industry."

Clifton Denha, AFD's convenience/liquor store vice chair and owner of the Wine Palace in Livonia, added: "If it wasn't for AFD, we'd have a lot more liquor licenses. We can't win every battle, but AFD was there fighting for its members."

The association needed to step up its game. "In the 1970s, the association was getting a bad rap," said Joseph Bellino, AFD chairman in 2012. "We were getting run over by big chains and big-box stores. We needed to grow the organization, get our message out and let people in Washington, D.C., know who we are."

In the 1970s, longtime grocer

James Hiller worked on a trade bill that prohibited low-cost sales. "Some of the really big players at the time were running below-cost sales in spot locations to hurt AFD members," said Hiller. "So, we worked diligently to get into a law that would prohibit that practice."

At this time the association began to step up its efforts in Lansing. "We retained the lobbying firm of Karoub, and Associates and I focused on working closely with our lobbying efforts," said Hiller. "This became a critical time for this, as some of our members, like the Weisbergs, were pressing the association to protect them against national companies wanting to enter into Michigan and they feared they would overpower them."

The dynamics of the industry began to change, which resulted in the AFD board becoming more diverse. "Young Chaldeans began to rise up in the association and have more of a voice," said James V. Bellanca, Jr., AFD in-house counsel 1982-2014. "They began to ask questions and make influencers in the association."

As the second generation of independent retailers began to emerge, they were more educated and there were more operators. "They began to delegate to managers and others, who did the day-to-day, so they could



begin to expand into multiple stores,” said Nabby Yono, AFD chairman in 1994. “These families began to build multiple stores like Hiller’s (then Shopping Center Market) and Value Center.”

Advances in technology also played a key role in the changes seen in the ’70s. The UPC (Universal Product Code) era, which began in 1974, forever changed the way supermarket and convenience-store retailers priced items in their stores. Although various companies had UPC scanning systems in the back of stores, the first UPC-marked item ever scanned at retail checkout (at Marsh Supermarket in Troy, Ohio) was at 8:01 a.m. on June 26, 1974, and was a 10-pack of Wrigley’s Juicy Fruit chewing gum. This item is currently on display at the Smithsonian Museum in Washington, D.C. The UPC found its way into Michigan when AFD member Chatham Supermarkets was the first to begin testing the UPC system in early 1975.

AFD began to solidify itself in the ’70s as the “go-to” association for business needs, including insurance, legal consulting and lobbying. “The association started to become truly valuable. It preceded the point where each member needed its own law firm or accounting firm,” said Hiller, whose business partner, Mo Miller, also an accountant, did the accounting for several members of the association. “He truly helped members become profitable,” said Hiller.

Hiller and Miller worked with several members, including Acho. “I use him as an example

because I just love the man,” said Hiller. “In the ’70s, many of the independent retailers began to see this opportunity to develop new stores and move beyond the one-store operation. These were street-smart guys. They knew how to do things, but many didn’t have the knowledge needed to move them beyond being a local grocer, and that is where the association came in.”

The association in the ’70s became a central place for people learning how to become businessmen. It was at this time that the coupon redemption program grew, the health insurance offering became popular, the association’s lobbying efforts in Lansing increased and they became consultants on legal issues and accounting.

The petroleum dealers in Ohio would face much different challenges during the ’70s. While the beginning of the decade would prove fruitful for the industry, the end of the decade would be dramatically different. “During the Vietnam War, in the early ’70s, business was pretty good. As the oil embargo was put on by the Middle Eastern countries, you had oil shortages and gasoline shortages over here,” recalled LaVecchia.

While domestic oil production was on the decline, there was an increase in dependence on foreign oil. However, in the early stages of the energy crisis, there was little concern around the country about the increased prices due to reassurance from Washington that it would not last. Everything would eventually come to a head

in 1973, when the oil embargo was imposed by OPEC. The embargo led to fuel shortages, including rationing, and prices unseen in previous years.

“We struggled through that because of allocations. Say last year you pumped 100,000 gallons in June; well, this June you are only going to get 60,000. So, people panicked and were getting in line and that was rough on us. We couldn’t make the money we needed to make, even though we sold all the gas we had. And we were on price controls all the way through it,” said LaVecchia.

The petroleum industry began to tank during President Jimmy Carter’s years. “That was a disaster and I’m not blaming the president for that. That was just waiting to happen, and it exploded on him,” said LaVecchia.

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KELLOGG’S
INTRODUCES
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Here's how CSA...Computerized Space Allocation...works. Sales data and cereal department shelf space for your stores are programmed into our computers in Battle Creek. The resulting computer "print-out" sheet shows the package sizes, case sizes, quantities, and product varieties best suited to your operation.

We then work with you, through your Kellogg Representative, to install and maintain the space allocation program recommended by CSA. A program designed to help you realize the maximum profit potential of your cereal departments.

Contact your Kellogg Representative soon. Tell him you'd like to learn more about how CSA can solve your space allocation problems.

Kellogg's
puts MORE profits in your cereal sections.



Even though the oil embargo was eventually lifted in 1974, the damage had been done and the effects of the energy crisis would continue for the rest of the decade.

As time went on into the '80s, the Reagan years, the petroleum business began to boom. "We were all doing well, making money and investing in other businesses," said LaVecchia.

Other highlights from 1970 to 1975:

MEMBERSHIP

AFD added 148 new members to the association, including 110 retailers and 38 suppliers. This pushed total membership, for the first time, over the 2,000 figure.

GEORGE JETSON-STYLE INVENTORY CONTROL

In 1970, Kellogg's introduces CSA, or computerized space allocation, which collected store sales data and cereal department shelf space and created reports showing package sizes, case sizes, quantities and product varieties best suited to a store's operation. See graphic on page 21.

COME ON BABY, LET'S DO THE TWIST

The Coca-Cola Co. announces the "turn-top" cap on its half-quart bottle of Coke. The turn-top cap allowed you to twist off the cap with your hand or pop it off with a bottle opener.

A FLAVOR FOR EVERY TASTE



Faygo flavors accounted for more than 40% of a large chain's total soft drink sales. This figure is directly attributed to persistent newspaper ads across the state that feature the same products at the same price. Faygo Beverages, Inc. also

announces eight new "controlled-calorie" products. One-calorie products are in development and are said to be coming soon.

EIGHT IS ENOUGH...FOR TODAY



Eight new suppliers join AFD, including Stroh's Ice Cream, Najor's Dairy Co., Holiday Delight Cheese Cake Co. and Seven-Up Bottling Co. of Detroit.

MINIMUM WAGE ON THE RISE

Minimum hourly wages for 2.1 million workers, including 80,000 in Michigan, increased 15 cents an hour, from \$1.30 to \$1.45. The government-ordered raise, under the federal Minimum Hourly Wage Act, is the fourth step in a move to bring those affected to the \$1.60 minimum wage. Workers covered by the increase are employees of smaller retail and service establishments, laundries, schools, hospitals and nursing homes.

A SNAPSHOT OF THE TYPICAL CONSUMER

On average, "Mrs. Consumer" walks eight miles a day and, each year, eats 99 pounds of sugar, 2,500 inches of spaghetti and 80 pounds of bread, plus drinks nearly 22 pounds of coffee, tea or cocoa. ■



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

We flawlessly execute these basics everyday:

SERVICE LEVEL

SHIPPING
INTEGRITY

CATEGORY
MANAGEMENT

EDI DATA SUPPORT

PROMOTIONAL
TOOLS

SALES SUPPORT

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



What do You Think is the Best Thing the Association has Ever Done?



"There's a long list of best practices that the association has done throughout the years. A few include: consistently meeting all the challenges in this industry and making sure that all members are always protected and informed of what's going on in our industry; Creating programs that enable all our members to be treated like chains so they can be more profitable and compete; Hiring the best President and CEO to lead this association in the past 11 years to where we are today." – PAUL ELHINDI // MIRA BOARD CHAIRMAN



"We have gotten closer to the association in recent years. We are getting a lot of rebates. When they bring a new company to the market, they do such a great job of introducing those companies to the members, especially Mary Ann Yono. She is doing a great job."

– MIKE KINAIA // PRESIDENT OF DREAM MARKETS



"The best thing that ever happened to the association was expanding out of state, because Michigan became too small for the association. We tapped the market in the state and stores were getting bought out and so we had to go out of state to grow the association."

– JOHN DENHA // FORMER MIRA BOARD CHAIRMAN



"You take it for granted but MIRA is truly the voice of the independent retailer and being that voice is so important. They do a lot of wonderful things like the scholarship program, the High Five Turkey Drive and the golf outings."

– NABBY YONO // FORMER MIRA BOARD MEMBER



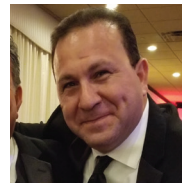
"They have been able to bring attention to all that they do for their members. The association is a tight-knit organization that does a lot for the community. It is a great partner to DTE Energy on many issues. The community knows that they strive to make the community better."

– MARK JONES // DTE ENERGY



"There are so many things, so it's hard to narrow it down. We have handled issues with the Michigan Liquor Control Commission, our work in Lansing and legislative issues in the Midwest. These are all important."

– JIM GARMO // MIRA BOARD MEMBER



"The best thing the association has done over the years is organizing their events, like the Annual Trade Dinner and having all of us come together throughout the year."

– FRANK AYAR // MIRA BOARD MEMBER



"We have always had great people on the board. We fight for the members to get the best for the members. They work so hard and have always worked hard."

– JERRY YONO // FORMER MIRA BOARD MEMBER AND TWO-TIME BOARD CHAIRMAN



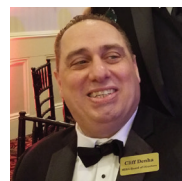
"MIRA is probably one of the best associations that ever existed. They do so much for the members and the community. They really reach out to help others."

– DR. JACOB MANSOUR



"The association has spread its wings and opened its doors to all races and all business people. This is more so than ever before."

– STEVE HOOD // MIRA CONSULTANT



"One of the best things the association did was add Benchmark Beverage. It expanded the association's reach and brought in a for-profit revenue stream."

– CLIFF DENHA // MIRA BOARD MEMBER

A photograph of three diverse people (two men and one woman) sitting at a table in a cafe, smiling and looking towards the left. The man on the left is holding a coffee cup. The background features exposed brick walls and industrial-style pipes.

A FORCE FOR GOOD

Strong communities are the foundation of a healthy, thriving environment for all people. That's why you can count on DTE Energy to support local organizations that are having a real impact. We are proud to partner with MIRA.

DTE



The Benefits and Burdens of Inheriting Real Estate

■ BY RANDALL A. DENHA, J.D., LL.M.*

With every windfall comes great obligations, so be prepared for the surprises you may encounter when inheriting property. Inheriting real estate from your parents is either a blessing or a burden -- or a little bit of both. Figuring out what to do with the property can be overwhelming, so it is good to carefully think through all of your choices.

There are three main options when you inherit real estate: move in, sell, or rent. Which one you choose will depend on your current living situation, whether or not you have siblings, your finances, whether the house has a mortgage or liens, and the physical condition of the house. The following are some things to consider:

TAXES

In most situations, you do not have to pay taxes on property you inherit, but if you sell the property, you will be subject to capital gains tax. The good news is that inherited property receives a step-up in basis. This means that if you inherit a house that was purchased years ago for \$150,000 and it is now worth \$350,000, you will receive a step up from the original cost basis from \$150,000 to \$350,000. You should get an appraisal done as soon as possible to find out how much the house is currently worth. If you sell the property right away, you should not owe any capital gains taxes. If you hold on to the property and sell it for \$400,000 in a few years, you will owe capital gains on \$50,000 (the difference between the sale value and the stepped-up basis). On the other hand, if you use the property as your primary residence for at least two years and then sell the property, you may be able to exclude up to \$250,000 (\$500,000 for a couple) of capital gains from your taxes.

MORTGAGE

Does the house have a mortgage on it -- either a regular mortgage or a reverse mortgage? Sometimes it is specified in the estate plan that the estate will pay off the mortgage. In cases where it doesn't, with a regular mortgage you will likely have to assume the monthly payments. There are some mortgages, however, that require the heirs to pay off the mortgage immediately. With a reverse mortgage, you usually have a limited time to pay off the mortgage in full. Typically, upon the transfer of ownership to real estate which is encumbered with a mortgage, there is a due-on-sale clause contained within the contractual documents that created the mortgage and note wherein the entirety of the mortgaged monies will become accelerated on transfer and become immediately due and owing to the lender (i.e., the entire loan is billed rather than just the installment payment). Nonetheless, recipients of real estate incident to the death of the owner needn't concern themselves with such a clause because Federal Law preempts (i.e., overrides) the lender's contractual right to call a mortgage where either the recipient of the property is a relative of the decedent-borrower or where the recipient was a joint tenant on the deed of the property with the decedent-borrower prior to death.

REPAIRS

It is a good idea to hire a home inspector to assess the condition of the house. If the property needs significant repairs, it may affect what you do with it. Renovations and repairs can be costly and time-consuming. You may want to consult with a realtor before taking on any big projects. It may not make sense to spend a lot of money on the house.

PROPERTY MAINTENANCE

Once you inherit the property, you will be responsible for maintaining it. The first thing you want to do if you inherit property is make sure the utilities and homeowners' insurance are transferred to the new owners and continue to be paid on time. You will also need to pay all the property taxes and any other fees associated with the property.

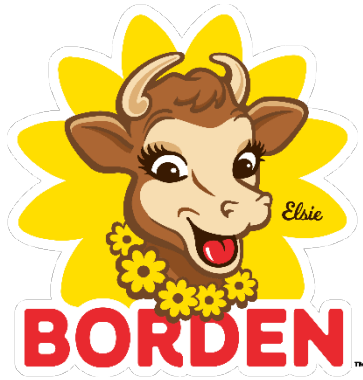
INSURANCE

You cannot keep the decedent's prior homeowner's insurance policy following the death of the decedent-insured when you inherit any real estate. While there is a Federal Law that enables certain recipients of real estate to keep the decedent's mortgage intact, there is no such law with respect to the decedent's homeowner's insurance. Nonetheless, the standard homeowners insurance policy does extend insurance benefits initially and upon death of the decedent-insured to the legal representative (i.e., executor or administrator) of such insured during the interim period existing post-death and pre-distribution to the ultimate beneficiary (i.e., while an executor or administrator is probating / administering the Estate). Yet, this extension of limited coverage may be curtailed by other policy exclusions, such as the loss of coverage if the property is vacant for 60 consecutive days before an occurrence of a peril or some other period set forth within the policy. Make sure to read the homeowners policy, which had named the decedent as the insured, to know the rules of the policy and don't assume anything.

RENTAL

Where real estate is encumbered by a home loan, not a reverse mortgage, you may

LEGALLY SPEAKING
continued on page 29.



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

Thank You for being a Borden Customer!





Visa Plans Sweeping Swipe Fee Changes

The interchange fees will rise or fall based on the merchant and how a customer pays

■ BY NACS ONLINE

Visa Inc. will make huge changes to its interchange rates, with lower rates for real estate and education categories and higher rates for e-commerce transactions, Bloomberg reports.

"The U.S. credit interchange structure has been largely unchanged for the past 10 years," Visa said in a statement. "Based on the most recent review in the U.S., Visa is adjusting its default U.S. interchange rate structure to optimize acceptance and usage and reflect the current value of Visa products."

Contention already abounds between retailers and payment networks, such as Visa and Mastercard, with merchants shelling out more than \$100 billion in annual fees to accept electronic payments. The new rates will be in effect in April and October under a two-pronged implementation to provide more time to processors.

The changes apply to Visa's published rates, and it's unclear whether the firm will re-negotiate its one-on-one deals with retailers. Visa included new categories, such as vending machines, parking and rent, in the news release.

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

Last May, the European Union has accepted an offer from Visa and Mastercard to cut fees on payments made by tourists using cards issued outside the bloc. This agreement could cut such fees by 40% on average, a benefit for both merchants and consumers. ■

Dairy Farmers of America Reaches Agreement With Dean Foods

■ BY THE SHELBY REPORT

Dairy Farmers of America Inc. (DFA) has reached an agreement with Dean Foods for the farmer-owned cooperative to become the stalking horse bidder to acquire a substantial portion of Dean's assets and business.

The two parties have been working to reach an agreement since DFA became aware of Dean's plan to initiate voluntary Chapter 11 reorganization proceedings.

As part of the proposed deal, DFA has agreed to pay a base purchase price of \$425 million and assume various liabilities, subject to certain adjustments, to acquire 44 of Dean's facilities and associated direct store delivery system, as well as certain corporate and other assets and functions.

While the parties have reached an agreement on the terms of the asset purchase, the transaction remains subject to various approvals, including

approval from the Bankruptcy Court overseeing Dean's Chapter 11 reorganization and the U.S. Department of Justice.

"As Dean is the largest dairy processor in the country and a significant customer of DFA, it is important to ensure continued secure markets for our members' milk and minimal disruption to the U.S. dairy industry," said Rick Smith, president and CEO. "As a family farmer-owned and governed cooperative, no one has a greater interest in preserving and expanding milk markets than DFA. We are pleased that we have come to an agreement on a deal that we believe is fair for both parties."

DFA is advised in this matter by Latham & Watkins LLP, Bryan Cave Leighton Paisner LLP and Houlihan Lokey.

DFA is a national, farmer-owned dairy cooperative. While supporting and serving 14,000 family farmers, DFA works with some of the world's largest food companies. ■

Trump Recommends New Tobacco Regulation Agency

The proposal would take oversight of tobacco away from the Food and Drug Administration

■ BY NACS ONLINE

The Trump Administration has proposed yanking tobacco oversight from the U.S. Food and Drug Administration (FDA) to a new, independent agency, Politico reports. The tobacco agency would be helmed by a director confirmed by the Senate.

The White House indicated the agency would "increase direct accountability and more effectively respond to this critical area of public health concern." Officials further pointed out that such an agency would have more manpower to navigate the growing variety

of tobacco products, as well as free the FDA commissioner to pay more attention to the "safety of the nation's food and medical products supply."

Discussions about regulating electronic cigarettes took over the November 2019 hearing for Stephen Hahn's confirmation as the agency's new commissioner. Also in the fall, Joe Grogan, domestic policy advisor to the president, said the agency should be working more on new medications rather than regulating tobacco. "Tobacco has no redeeming qualities, and it shouldn't be regulated by a health agency like this," Grogan said. ■

Clean Restrooms Boost Spending

A well-maintained bathroom makes consumers open their wallets

■ BY NACS ONLINE

A growing majority of consumers value businesses' well-kept restrooms so much that they are willing to spend more money when they encounter one, according to new national research. The number of Americans who will "definitely" or "probably" shell out more cash in response to clean restrooms has climbed to 62% this year from just 45% two years ago.

The study found that almost three out of four Americans make it a point to visit a business, because they know it has nice restrooms. Women are especially likely to show preferential treatment, as are millennials and Gen Xers, who are the two generations most likely to open their wallets when presented with such amenities. The findings are

part of the 11th annual Healthy Hand Washing Survey conducted by Bradley Corporation.

"Increasingly, our survey underscores that clean restrooms attract business," said Jon Dommissie, director of strategy and corporate development for the Bradley Corporation, in a press release. "Even posting and maintaining a cleaning schedule in restrooms helps reassure customers the facility is clean. Over half who have observed such a schedule say it makes them feel more positive about the business."

Even though consumers are keen on rewarding restroom-friendly companies, more Americans are having unpleasant experiences in a public restroom. This year, a record 76% report having a particularly bad encounter. Restrooms that are dirty or in disarray generate



negative impressions, causing customers to take their business elsewhere, according to the survey. Nearly 60% of people surveyed say they would leave the business immediately or say they are unlikely to return after encountering unpleasant restrooms. ■

LEGALLY SPEAKING *continued from page 26.*

be able to rent your inherited real estate without first refinancing the mortgage from a residential home loan to an investment loan. Relevant to the due-on-sale clause discussed herein with respect to mortgage transfers, the recipient of real property who qualifies for due-on-sale preemption can also rent the property for up to 3 years, during any rental term, without the monies in the mortgage becoming due and owing to the lender through a separate exception to the due-on-sale clause pursuant Federal Law. Without this Federal Law preemption, a person with a residential mortgage for their primary residence would be precluded from renting the property without first refinancing to an investment loan. So, those inheriting real estate can utilize the real property inherited as an income stream instead of

immediately liquidating through sale or choosing to occupy the premises themselves. Nonetheless, before you rent out your inherited real estate, make sure to comply with local law from where the real estate is located with respect to obtaining any requisite rental permits and through avoiding illegal transient (i.e., short-term) rentals or be prepared to face citations with fines and possible jail time.

OTHER OWNERS

If you inherited the property with siblings, you will all need to agree on what to do with the property. If one sibling wants the property, he or she can buy it from the other siblings. Otherwise, you can sell or rent the property and split the profits. If there is a dispute among siblings, you can try professional mediation. In mediation, the disputing parties engage the services

of a neutral third party to help them hammer out a legally binding agreement that all concerned can live with. The disputing parties can control the process and they have a chance to explain their perspectives and feelings. If you go to court, the judge will likely order the house to be sold so the profits can be split.

Ultimately, there are many decisions to make when you inherit real estate and deciding what to do with it can be a very emotional decision. If possible, try not to rush into any decisions until you've had time to thoroughly consider your options. ■

**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 by email at rad@denhalaw.com.*

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Sugar Foods Corporation (830) 515-0981
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APRIL 28, 2020

MIRA'S 35TH ANNUAL INNOVATIONS BUYING SHOW

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

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Enjoy fine cuisine, network, dance and enjoy live entertainment with more than 500 industry leaders. Sponsorship opportunities available.

The Empress // Addison, IL



JUNE 16, 2020

MIDWEST INDEPENDENT RETAILERS FOUNDATION'S 12TH ANNUAL SCHOLARSHIP LUNCHEON

Every year, the Midwest Independent Retailers Foundation awards academic scholarships in the amount of \$1,500 each to extraordinary and deserving students in Michigan, Ohio and Illinois. Help the MIR Foundation invest in the leaders of tomorrow. Tickets and sponsorship opportunities available. *Detroit Athletic Club // Detroit, MI*



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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HELPING INDEPENDENT RETAILERS BE MORE PROFITABLE, EFFICIENT, AND INFORMED.



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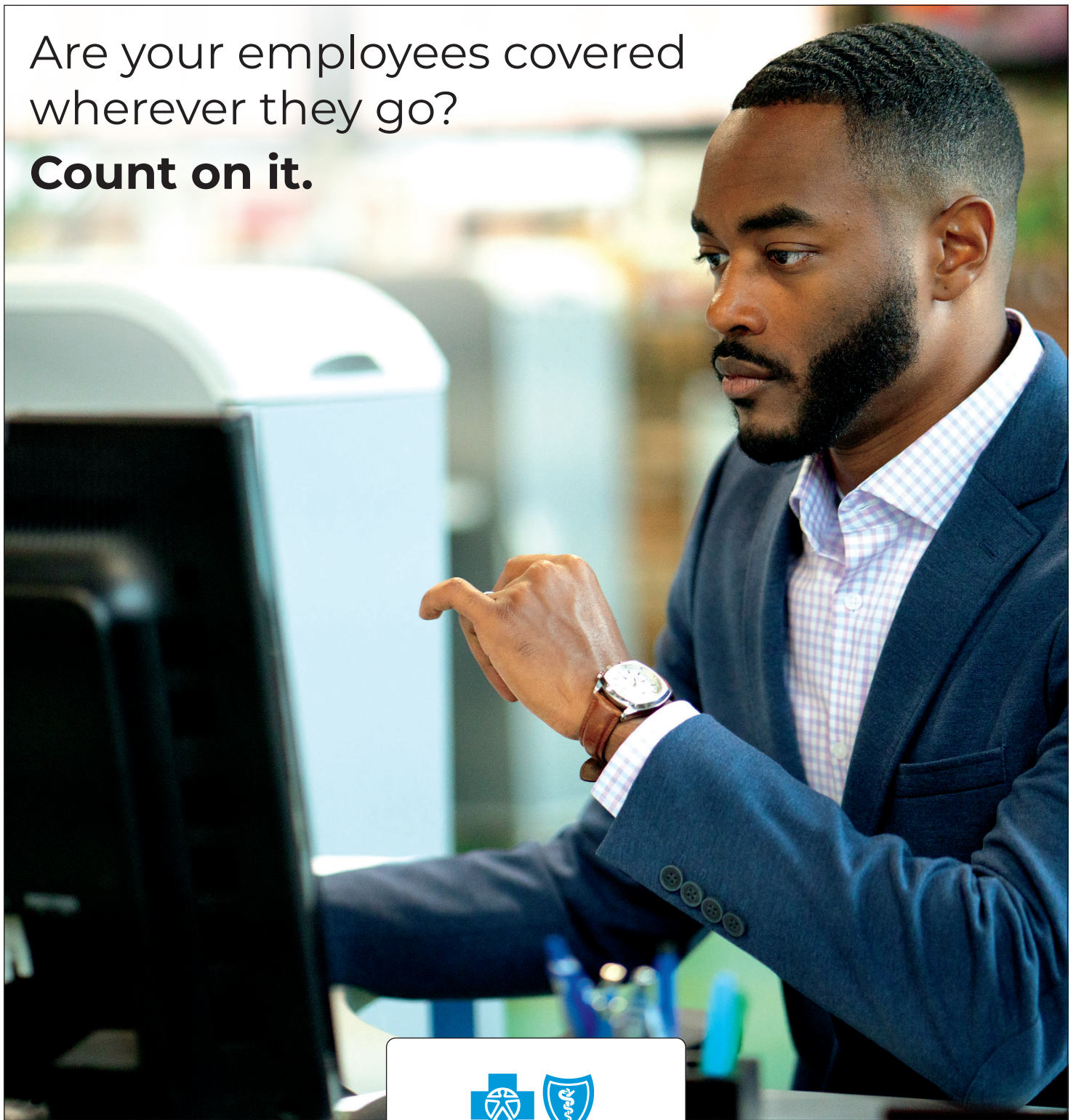
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