



# EXPRESS LINE

## FDA Issues Final Menu Labeling Guidance

The U.S. Food and Drug Administration (FDA) on Friday, April 29th released the publication of its final guidance for implementation of the agency’s December 2014 Final “Menu Labeling” Rule. The rule requires “Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments.”

Although the document is meant to clarify portions of the rule and answer specific questions related to the requirements initial reviews indicate that the flexibility requested by grocery stores and supermarkets were not incorporated.

In March, the FDA postponed the compliance date for menu labeling from Dec. 16, 2016, to one year after the final guidance was issued. The guidance is expected to be published in the Federal Register next week which means the FDA would begin enforcement of the regulations in early May 2017. Industry groups such as FMI and NGA continue to advocate for changes to menu labeling requirements that they say don’t make sense for supermarkets.

FMI reports that Congress is still being encouraged by the grocery industry to adopt legislation (H.R. 2017/S. 2217 – the Common Sense Nutrition Disclosure Act) that industry groups say eases the menu labeling burden for supermarkets while keeping the spirit of the original legislation.

H.R. 2017 has already passed the U.S. House of Representatives and is currently pending in the U.S. Senate, and will modify the FDA menu labeling regulations, including:

- Clarifying that the menu labeling requirements are applied to “standard menu items” that are standardized across several locations; not local foods sold at one or two stores or restaurants
- Allowing supermarkets to use a menu or menu board in a prepared foods area or next to a salad bar instead of individually labeling every item
- Allowing an establishment to take corrective actions within 90-days prior to enforcement and providing some liability protection in good-

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# NORTH CAROLINA WIC UPDATES

The NC WIC Retailer Advisory Council held its second quarter call on May 10th. For those who participated, updates and information were provided on eWIC, vendor training and Similac formula changes. Your CFIC staff joined the call to represent your interests as well as to learn the latest information from the NC WIC program to share with you. Below are the details of what we learned on the latest call.

## eWIC Progress Update and Timeline

North Carolina is planning to begin the eWIC pilot program in the fall of 2017. To get ready for the eWIC transition, the NC WIC Program has sent a survey to all WIC vendors to determine retailers' readiness to accept EBT. Retailers should complete this survey as soon as possible. It can be completed online or filled out on paper and returned to the NC WIC Program.

WIC staff are also collecting UPC information from stores by sending small teams to most authorized WIC vendors in the state to scan UPCs manually. Retailers may be contacted to set up a date for a team to collect this data, which will be used to populate the eWIC database. This data collection was started well in advance of EBT implementation and WIC staff will conduct another "sweep" just prior to pilot and the statewide eWIC rollout in 2018. The State office will visit the minimum of one store from each corporate chain. Should you be aware of a store that carries a variety of ethnic foods that may not be available through other retailers, please contact Rachel Pedersen at 919-707-5761 or Tysha Grays at 919-707-5765 to ensure that we specifically visit that store to gather UPCs. This will help us to ensure that our database is as accurate as possible when we rollout the system, which will ultimately mean that participants and vendors experience fewer transitional issues. As we have previously discussed, the eWIC system will be an online system, rather than offline.

## Annual Vendor Training

Local WIC agencies will conduct live, in-person vendor training in late-June to mid-August. One person per store will be required to attend the annual training in order to maintain the store's WIC authorization. NC WIC Program staff expects training to last approximately 4 hours and encourages store managers to attend so that they can properly disseminate information to all store employees.

## Similac Alimentum Formula Change

Abbott Nutrition has recently changed the size of Similac Alimentum formula powder from 16 ounces to 12.1 ounces. Vouchers are in circulation with both sizes, however some retailers still haven't cycled through the old 16 ounce size and can't process new vouchers. Conversely, some retailers only have the new 12.1 ounce size and can't process older vouchers. NC WIC staff explained that a retailer can only provide what is on the food instrument and that retailers must refer customers back to the county WIC office if the retailer doesn't carry the size listed on the food instrument. The NC WIC staff expects most vendors to transition to the new size of Alimentum by mid-June.

The NC WIC Retailer Advisory Council was created to provide a forum for dialogue between existing WIC retailers and the NC WIC agency on both ongoing and new programs, policies, and procedures. Quarterly Committee calls are scheduled to answer questions from WIC vendors and any existing vendor is welcome to dial in and join the call. The next call will be on August 9, 2016, at 10:00 am. An agenda and call-in information will be emailed the week prior to the call. □



Stay tuned for South Carolina WIC updates!

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faith compliance efforts

- Providing some flexibility within “reasonable basis” standards, in-store certifications, remote-ordering, multi-serving and variable items
- Allowing online point-of-purchase nutritional information as a means for compliance for items that are normally ordered off-premises, such as delivery or catering

According to the Update from the Center for Food Safety and Applied Nutrition: “The FDA is committed to working flexibly and cooperatively with establishments covered by the menu labeling final rule and to providing educational and technical assistance for state, local, and tribal regulatory partners to support consistent compliance nationwide. After release of the guidance, the agency will continue to conduct webinars and will hold menu labeling workshops that focus on specific stakeholder needs.”

Even with this newly released guidance from the FDA, it is clear there are some deficiencies and modifications necessary that only Congress can address in order for the food retail industry to comply with the law and make it more workable in a grocery setting. □

## SILENT Auction

**RCA** Retail - Consumer Alliance Foundation  
working with consumers to build stronger communities

We rely on the generosity of members to make our annual *Silent Auction* a success. This year’s auction will take place at CFIC’s Annual Convention in Myrtle Beach on July 23.

**Donating is Easy...No Forms. No Hassle. Just send us an e-mail.**

To donate please send an email to [stephanies@cficweb.org](mailto:stephanies@cficweb.org), by July 15, 2016. We value your continued support of the Silent Auction. Thanks to your donations and purchases, we raised over \$25,000 in 2015!

### Where the Funds Go...

All donations and funds raised during the Silent Auction are for the association’s charitable foundation, Retail Consumer Alliance (RCA). RCA funds over \$120,000 each year to our educational scholarship program and makes an annual \$50,000 contribution to the Feeding America Food Banks for North and South Carolina.

Stay tuned for information regarding online bidding!

For more information, contact Stephanie Stafford at (919) 832-0811 or e-mail [stephanies@cficweb.org](mailto:stephanies@cficweb.org).

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# Council News



## Message from the Executive Director

As I write this from Raleigh, it's currently 60 degrees and it's been raining for what feels like forever. Despite the weather, spring is here and summer is shortly upon us. While most of us think about summer sun and fun by the pool, the reality is that June 1 marks the first day of hurricane season, which goes through November 1. We all hope that this year doesn't bring a hurricane headed for the Carolinas, but responsible business owners and operators can't just hold out hope they have to think about and plan for the worst case scenario.

Luckily in North Carolina (the more prone of the two states to get hit by a hurricane), there is a plan in place that allows retailers to apply for annual passes allowing reentry into curfew areas before and after an emergency. However, these are annual passes and all 2015-2016 Re-Entry Certificates expired on April 30. North Carolina Emergency Management (NCEM) started issuing 2016-2017 Re-Entry Certificates beginning on May 1st, so if you haven't done so already, renew your certificate today. The review and credentialing process takes less than 24 hours from the time of submission, but that process takes longer if you apply the day before a hurricane makes landfall. Preparation is key! See the sidebar for step-by-step instructions for renewing your Re-Entry Certification.

Although not yet finalized, legislation currently being considered may give South Carolina businesses similar passes before this hurricane season. As the South Carolina General Assembly winds down its session in the next three weeks, they will be taking up HB 5299, which allows for creation of a reentry pass system, modeled after North Carolina's law that passed in 2009. Stay tuned!

Regardless of the state you live in, use the three key steps below as a guideline to ensure you are prepared for hurricane season, as recommended by the National Hurricane Survival Initiative:

### Step 1: Protect property

- Install shutters or plywood to protect windows and doors from wind borne-debris.
- Have your roof evaluated to ensure it can withstand a storm.
- Remove any branches or trees adjacent to your building that could fall and damage it.
- Sandbag areas subject to flooding.
- Anchor and brace any large furniture (bookcases, filing cabinets) to wall studs.
- Relocate any valuable or fragile possessions.
- Secure all utilities including water heaters, and gas tanks and if necessary, raise them to higher locations to avoid water damage.
- Secure computers and other electronic equipment with straps or Velcro.
- Turn off all the utilities prior to a hurricane making landfall if possible.

### Step 2: Protect important documents and information

- Designate important contacts that are crucial to business operations, ie. employees, lawyers, accountants, suppliers, etc.
- Back-up important documents such as insurance documents, legal contracts, tax returns, and accounting statements to avoid water damage.
- Seal these documents in waterproof containers onsite.
- Save all your designated contacts and documents in an alternate, accessible off-site location.

### Step 3: Keep a Preparedness Checklist

The below items should be gathered in one location at your place of business to help protect the safety of your employees should disaster strike during regular working hours and without ample notice.

- Battery operated radio or television
- Non-perishable three day food and water supply for you and your employees
- Coolers and containers for water and

washing

- Blankets, pillows, cots, and chairs
- First Aid Kit and first aid manual
- Flashlights, batteries, light-sticks
- Tool kit (basic tools, gloves, etc.)
- Tarps, plastic bags, duct tape
- Cleaning supplies, including mops, towels and garbage cans
- Generator
- Emergency contact information such as the nearest hospital and police, along with:
  - ➔ Life safety issues: 9-1-1
  - ➔ Small Business Administration (SBA): 1-800-359-2227
  - ➔ FEMA Tele-registration hotline: 1-800-621-3362
  - ➔ Insurance company and agent's contact information

For more information on emergency preparedness, visit: <https://www.sba.gov/managing-business/running-business/emergency-preparedness>. □

# Council News

## North Carolina Re-Entry Certificates Expired April 30th



### Instructions to renew your North Carolina Re-Entry Certificates:

1. Log in to your account on [www.ncsparta.net](http://www.ncsparta.net) (preferably using Google Chrome)
  - If you do not know your username or password, email Lexi Arthur at [lexia@ncrma.org](mailto:lexia@ncrma.org).
2. The default position should already be selected on the next page with “Daily Operations 2016” selected underneath. If not, choose “Daily Operations 2016” in the second bar.
3. Click “OK”
4. Enter the Additional Login Information and continue to next page
5. Two screens should open: 1) “SPARTA Workstation Viewer” and 2) WebEOC 7.5
6. On the WebEOC 7.5 screen, locate “Vendor ReEntry” (see here).
7. Find your company and click ‘edit.’ You will be prompted to enter contact information. The password remains viable for multiple users. Please update contact names, phone numbers and emails. Designate your primary contact with the number “1” or by placing that name first on your list. Review and sign the MOA. \*Don’t forget to save your changes.
8. After you have reviewed and updated your information, Persia Payne-Hurley with the NC Division of Emergency Management will complete the process by authorizing your company to have a renewed Re-Entry Certificate. This will result in a button beside your company name. At that point, you may view and print the certificate.

If you have questions before, during, or after this process, contact CFIC staff.

## CFIC FEATURED MEMBERS



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Featured CFIC members pay annual membership dues of \$1,000. For more information on membership and sponsorship opportunities, contact CFIC Assistant Director Brenna Favara at (919) 832-0811 or [brennaf@cficweb.org](mailto:brennaf@cficweb.org)

# FOOD LION NAMED A 2016 RETAILER OF THE YEAR BY THE NC RETAIL MERCHANTS ASSOCIATION

**F**ood Lion was recently recognized as a 2016 Retailer of the Year, one of four leading retail businesses to receive the honor from the North Carolina Retail Merchants Association (NCRMA). The award was presented during NCRMA's Annual Retailer of the Year awards luncheon at the Charlotte City Club on April 20th.

Founded in Salisbury, NC in 1957 this grocery giant grew from humble beginnings. The first decade keeping the seven stores in business was a real struggle until a plan was initiated to lower the prices. Lowering prices on 3,000 items across the stores not only saved those seven stores, but put them on track to become one of the fastest growing supermarket chains in the country. Those seven stores continued to grow into a chain that now operates over 1,100 stores in 10 Southeastern and Mid-Atlantic states, employs more than 63,000 associates and serves approximately 10 million customers a week.

The company is also fully invested in supporting the community. Its charitable program has committed to provide, by the end of 2020, 500 million meals to individuals and families struggling with hunger. Since 2014 they have already provided

almost 175 million.

This grocer's commitment to the community also extends to within their stores. On April 16, 2011, a tornado ripped through the town of Dunn and struck Distribution Center 4, which services 270 stores in eastern North Carolina. The roof and sheet metal walls were gone and the distribution center was unusable. Rather than lay off the 700 workers during the year it took them to rebuild, the company provided extended benefits and offered some employees jobs at other distribution centers. More than 150 employees, many of them truckers, had to work in the other centers, staying away from home for weeks at a time. But when Distribution Center 4 reopened in May of 2012, it was bigger and better than ever.

"I am proud to recognize Food Lion as an outstanding retail member for their efforts to provide superior value and service to their customers," said NCRMA President and General Counsel Andy Ellen. "These four award recipients deserve statewide recognition because they are helping to sustain local economies, adapting to meet the needs of their customers, and giving back to their local communities."



In addition to Food Lion, the other 2016 Retailers of the Year are:

- Moon and Lola - Founded in 2003 in Apex, NC
- The Glass Jug – Founded in 2014 in Durham, NC
- Starnes Jewelers – Founded in 1898 in Albemarle, NC



Food Lion's Matt Harakal and Teross Young accepted their award

# CORCA Announces Annual Conference

Please join us at the premier conference of the Carolinas Organized Retail Crime Alliance (CORCA), September 8, 2016

**N**ewly formed, CORCA is a partnership organized through the North Carolina Retail Merchants Association (NCRMA) and the South Carolina Retail Association (SCRA). CORCA is an Alliance of retail businesses and law enforcement agencies working together to combat organized retail crime activity in the Carolinas, through the Retail Consumer Alliance Foundation.

CORCA will hold its first Annual Conference on September 8, 2016 in Charlotte. The event will bring together experts specializing in fields such as loss prevention, security, risk management and emergency management along with law enforcement, prosecutors and policy makers to network and learn about the

safety and security of retail stores, employees and customers. Educational opportunities will also focus on organized retail crime, external and internal theft, private and public sector partnerships, asset protection technology, financial crimes and emergency preparedness.

We invite you to join us at the Annual Conference. We believe you will strongly benefit from the information-sharing, face-to-face networking and educational seminars.

If you would like to know more about CORCA, the Annual Conference or how to get involved, please contact Jessica Edwin, CORCA Program Manager, at [jessicae@ncrma.org](mailto:jessicae@ncrma.org) or (919) 832-0811. You may also visit our website at [CORCA.org](http://CORCA.org).

## Carolinas Organized Retail Crime Alliance



## Conference

**Thursday, September 8, 2016**

**Renaissance Charlotte Suites Hotel**





ANNOUNCEMENTS:

- Hotel Registration Deadline.....June 1
- CFIC Convention.....July 21-24
- CORCA Conference.....September 8
- CFIC Golf Tournmanet.....September 27



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