



Member Focused; Results Driven

Mark your Calendars
2011 May
Meetings and Annual Events

May 4, 2011 Packaging & More
Trade Show @ Kirkbrae CC

May 18, 2011 BOD Meeting

May 25, 2011 Legislative
Committee Meeting (Bill
Tracking - Hearings)

May, 30, 2011 Office Closed
Memorial Day

June 8, 2011 Food Safety
Committee Meeting (tentative)

June 15, 2011 Executive
Committee Meeting @ 7:30am

June 23-26, 2011 Annual
Convention Ocean Edge Resort
& Golf Club Brewster, MA

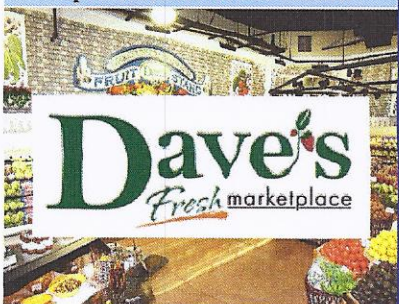
August 8, 2011 Annual RIFDA
Charitable Golf Tournament
Kirkbrae Country Club Lincoln,
RI

August 25, 2011 (tentative) PAC
Event, Location TBD

September 21, 2011 Sen. Reed
trip to Washington

December 3, 2011 Annual
Meeting & Holiday Gala
Newport, RI

Thank you
April Retailer of the Month



RHODE ISLAND FOOD DEALERS ASSOCIATION
2011 MAY MEETINGS & ANNUAL EVENTS
FEDERAL LEGISLATION UPDATES ~ INDUSTRY NEWS
YOU ARE INVITED JUNE 23-26, 2011

Rhode Island April Legislative Update April 22, 2011

As the State's General Assembly concludes their spring recess it is a good time to recap some of the recent events as well as review some new priorities and potential outcomes. Of the nearly two thousand pieces of legislation that has been introduced (approximately 1,100 in the House and 900 in the Senate) 63% of those have been introduced since the February break. This is reflective of the slow start in both houses this year due to the number of new legislators and the focus on Gay Marriage proposals that occupied much of the early discussions.

Only 61 of the 2,000 bills introduced have actually been passed. Twelve of these have been signed into law by Governor Chaffee while thirty-six others became law without his signature. The remaining bills were only recently sent to the goemors' office and are pending his signature. The vast majority of these bills have been non controversial in nature and none had any impact on the food industry in our state.

The above account for a brief summary of the recent past but it is the near future that could be significant for food industry and for businesses in RI in general. As the General Assembly reconvenes this coming week they will be forced to atagaint a number of deadlines. Committee hearings in the house are scheduled to conclude by the end of next week.

This does not apply to bills sent to the House Finance Committee from another committee or from the Senate. It is expected that most hearings and meetings over the next week will center on developing alternatives for closing the state's budget gap and completing the fiscal budget for 2012. (for the complete update visit www.rifda.com)

Industry News

•**Survey shows continued economic anxiet** In a Deloitte survey, 52% of consumers said they don't feel as though the recession is over, and 71% said rising gas prices will cause economic pain. Also, 53% said products seem more expensive, and 60% said they are shopping online to compare products and prices. {from: [Grocery Headquartersmagazine](#)}

•**Line is blurring between national brand and private label** A survey of 6,100 consumers found some might not know whether their purchases are national brand or private label, and 40% said they do not know whether their store carries private-label cleaning supplies. "We discovered that the distinction between private label and named brands is fading for consumers, and they may not even know that certain brands are private label," said an official with Market Force Information, which conducted the survey. {from: [Supermarket News](#)}

•**Consumers are less likely to check labels on baked treats** A Harris Interactive poll found that consumers are less likely to examine nutrition labels when buying cake, chocolate, biscuits and confectionery goods than they are to check labels on dairy products and canned foods. "Many do not look at labels on these products because nutritional content seems to matter less to consumers on categories which are considered a treat," a Harris consumer-research official said. {from: [FoodNavigator](#)}

•**Sales of soy items fell 16% from 2008 to 2010, Mintel says** Sales of soy food and drinks dropped 16% between 2008 and 2010 and are expected to fall 17% between 2010 and 2012, according to Mintel. Though soy is known for its health benefits, prices can be high and some are allergic, Mintel said. {from: [Drug Store News](#)}

RIFDA 2011 Convention
"The Biggest & Best Ever"



YOU ARE INVITED ~ June 23 - June 26, 2011 ~ Ocean Edge Resort & Golf Club
Premium accommodations, 18-Hole Nicklaus Design Golf Course, 11 tennis courts, Private beach,
Four restaurants, Four outdoor pools, Two indoor pools, Fitness center, cardio room, class studio,
basketball, Volleyball, Badminton, Horseshoes, Croquet, Bocce, Saunas and Hot tubs, Spa treatment
room, Scenic 26-mile Cape Cod Bike & Rail Trail, Easy access to local area beaches and the National
Seashore...Need we say more? What are you waiting for? Sign up today!



*** April Legislative Update * New Menu Labeling* Senate Votes 1099 Appeal * Helpful Links ***

April Federal Legislative Updates

SWIPE FEE REFORM EFFORTS CONTINUE:

Participation from FMI members in our Washington Public Policy Conference last month helped convey our message to lawmakers to oppose new legislative attempts to delay the Durbin swipe fee reforms enacted last year as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act (P.L. 111-203). Legislation has been introduced in both the Senate and the House, which call for delays of two years and one year, respectively. Senator Jon Tester's (D-MT) Debit Interchange Fee Study Act of 2011 (S. 575) currently has 16 cosponsors; Rep. Shelley Moore Capito (R-WV)'s Consumers Payment System Protection Act (H.R. 1081) has 79 cosponsors. Senators Jon Tester (D-MT) and Bob Corker (R-TN) filed a version of the delay bill as an amendment to small business legislation (S. 493) being debated in the Senate, but it was not called up during the amendment process thanks in part to the heavy pushback from the industry, explaining the negative impact of a delay to your businesses and operations.

Opponents of the Durbin amendment will continue to seek new legislative vehicles as opportunities to move forward with delay efforts.

HOUSE PASSES LONG-TERM SPENDING BILL; NO CUTS TO WIC

Following last week's heated discussions to avert a government shutdown, lawmakers reached a budget compromise to fund the federal government through the end of the fiscal year. Congress passed a one week continuing resolution last week to avoid a shutdown and allow for the necessary legislative time to pass the longer term spending measure. Today, the House passed H.R. 1473, the compromise spending package by a 260-167 vote, despite opposition from 59 Republicans. The bill passed the Senate by an 81-19 vote and will be signed into law by President Obama before the short-term CR expires after April 15.

LEGISLATION INTRODUCED TO INCREASE TRUCK WEIGHTS:

Legislation (H.R. 763 – S. 747) to increase the federal weight limit for commercial trucks on interstate highways to 97,000 lbs has been introduced in both the House and Senate. The current weight limit set back in 1992 is currently 80,000 lbs. The identical bills, entitled, the Safe & Efficient Transportation Act (SETA), are sponsored by Rep. Mike Michaud (D-ME) and Senator Mike Crapo, (R-ID) respectively.

Under the SETA legislation, states would have the option to keep the weight limit at 80,000 lbs or set their own interstate weight limit up to 97,000 lbs provided that truck vehicles are equipped with an additional sixth axle. To help states fund maintenance of bridges, there would be a user fee imposed on all trucks that have a sixth axle. FMI is a member of the Coalition for Transportation Productivity (CTP) that is supporting the SETA bills. FMI members interested in this trucking issue should visit the CTP website at www.transportationproductivity.org.

Information Gathered with help from Reports Issued by FMI

US Senate Votes on 1099 Appeal

The US Senate voted 87-12 to repeal the onerous new 1099 information reporting requirement passed as part of healthcare reform. They voted on the exact same bill passed by the House a few weeks ago (H.R. 4), and moved it without amendment. Which means it now goes to President Obama for his signature. Despite the fact it unwinds part of the new healthcare law, the President is expected to sign the bill in the next few days, making repeal complete.

Originally, this vote was expected to be part of the small business financing bill that is currently on the Senate floor, but Majority Leader Harry Reid announced over the weekend that he would allow a vote on H.R. 4 as a standalone, rather than as an amendment to another bill. There was one amendment offered to H.R. 4 by Senator Menendez (which would have probably unwound the way the bill is currently paid for - through changes to how unused health care subsidies are collected), but fortunately the Senate rejected this effort 41-58. So, the bill that ended up passing was exactly the same as the House one.

HELPFUL INDUSTRY LINKS

FMI National Legislative Updates

<http://www.fmi.org/gr/>

RI Legislative Info

<http://www.rilin.state.ri.us/genmenu/>

RI Pending Bills and Calendar

<http://dirac.rilin.state.ri.us/billstatus/webclass1.asp>

RI News and Press Releases
From the House and Senate

Thank you

April Supplier of the Month



**CAPE COD
Potato Chips**

FDA RELEASES PROPOSED MENU LABELING REGULATIONS:

The Food and Drug Administration recently released its long-awaited proposed rule on the menu labeling provisions of the Patient Protection and Affordable Care Act (P.L. 111-148). The rule as written does regulate supermarket operations, though FDA states in the rule that it is considering an alternative option that would exclude supermarkets and convenience stores from the requirements of the law.

Highlights of the Proposed Rule:

- Supermarkets are covered under the proposed rule. Supercenters are generally not. The threshold is if 50 percent of a retail establishment's gross floor area is used for the preparation, purchase, service, consumption or storage of food then that retail establishment is covered.
- FDA is considering an alternative option, which would generally exclude supermarkets. Only if a total of more than 50 percent of a retail establishment's gross floor area is used for the preparation, purchase, service, consumption or storage of restaurant or restaurant type foods (prepared foods) would that establishment be covered by the rule.
- The rule applies to a broad range of foods. Not only are foods for served for immediate consumption required to be labeled, foods that are "ready for human consumption" and prepared/processed at retail (e.g. cold items typically consumed hot) are covered as well.
- Salad bar and hot food buffet items are covered. Items on the bar/buffet must be labeled individually. Salad dressing generally must be labeled. Calorie information must be placed on the placard with the name of the item, not on a separate sign. Additional written nutritional information must be available to consumers on request.
- Multi-serving foods (e.g. rotisserie chickens and racks of ribs) are covered. Calories must be declared on the basis of the whole item.
- Pre-wrapped sandwiches are covered.
- Calories must appear on menu boards in a type size no smaller than the smallest type size of the name or price of any menu item.
- For variable menu items (e.g. made-to-order subs) the basic preparation must be provided (e.g. turkey with bread) and condiment information provided separately.
- A statement referring to a 2,000-calorie daily diet is required on menus and menu boards.
- Packaged foods with nutrition fact panels do not require additional labeling.

**SAVE THE DATE MONDAY AUGUST 8, 2011
ANNUAL CHARITY GOLF TOURNAMENT ~ KIRKBRAE COUNTRY CLUB**