The 2019 Agreement
Is There Room At The Table For Franchisee Leaders?
NOW AVAILABLE

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Diet Coke® FROST

WITH A SPLASH OF CHERRY

Natural Cherry Flavor with Other Natural Flavors

50 calories* per Medium cup (22 FL OZ)

*Vary total carbohydrate per Medium cup (22 FL OZ)

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COMEDY never
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Verdict's Finest

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2 CIGARS FOR 99¢

AVAILABLE JANUARY 2016
WHILE SUPPLIES LAST

White Owl® TROPICAL TWIST
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SAVE ON 2 CIGARS

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#1 SUPER PREMIUM BAR

NEW!

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SLIN: 190886

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SELLING MORE SUPER PREMIUM BARS = SUPER PREMIUM PROFITS!

Source: To US Conv. Retail Unit Sales Volume YTD 10/2015.
Redberry
YOURSELF
IN SALES THIS SUMMER!

THIS SUMMER'S GOING TO BE
EVEN BIGGER!
PREBOOK YOUR FLOORSTAND STARTING
FEBRUARY 15TH

DISPLAY GENERATED
40%↑
HIGHER DOLLAR SALES FOR
PARTICIPATING STORES IN 2015!

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JUNE 27TH
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AVANTI is published by the National Coalition of Associations of 7-Eleven Franchisees for all independent franchisees, corporate store managers, area licensees and interested parties. National Coalition offices are located at 740 Front Street, Suite 170, Santa Cruz, CA 95060. For membership information, call 831-426-4711, e-mail nationaloffice@ncasef.com or fax 831-426-4713. AVANTI is editorially and advertising owned by AVANTI, Inc. 116 Bellevue Ave., Suite 304, Langhorne, PA 19047. For advertising information, call Sheldon Smith at 215-750-0178 or e-mail, send messages to sheldon.smith5@verizon.net.
U.S. C-Store Count Increases

The U.S. convenience store count increased to 154,195 stores as of December 31, 2015, a 0.9 percent increase (1,401 stores) from the year prior, according to the 2016 NACS/Nielsen Convenience Industry Store Count. Within the retail universe that Nielsen tracks, convenience stores account for 34.2 percent of all outlets in the country, which is significantly higher than the U.S. total of other retail channels, including superettes, supermarkekt and supermarkets (51,055 stores), drug stores (41,969 stores) and dollar stores (27,378 stores).

The report also reveals that overall, 80.7 percent of convenience stores (124,374) sell motor fuels. Furthermore, the convenience retailing industry continues to be dominated by single-store operators, which account for 63.1 percent of all convenience stores (97,359 stores total) and 74.3 percent of store growth in 2015.

Among the states, Texas continues to lead in store count with 15,607 stores. The rest of the top 10 states for convenience stores are California (11,540), Florida (9,909), New York (8,446), Georgia (6,765), North Carolina (6,330), Ohio (5,605), Michigan (4,880), Illinois (4,732) and Pennsylvania (4,706), the same top 10 as 2015. All states experienced year-over-year increases with the exception of Georgia (1 store) and Michigan (-27 stores). The bottom three states in terms of convenience stores continued on page 14.
of store count are Alaska (206 stores), Wyoming (357) and Delaware (350).

DePinto On NRN’s 2016 Power List
SEI President and CEO Joe DePinto was recently named the top “Disruptor” on Nation’s Restaurant News (NRN) Power List 2016. Now in its third year, the NRN Power List is the most definitive list of industry leaders who are not only setting foodservice trends today, but also shaping them for tomorrow. The “Disruptors” on the list are power players placing the restaurant industry on notice in areas such as delivery and food preparation. Under DePinto’s leadership, NRN writes, 7-Eleven partnered with third-party startups such as Postmates and DoorDash to deliver food in select U.S. cities, as well as with mobile commerce company Tapango for delivery to select college campuses. These delivery moves make 7-Eleven, which has been expanding its meal offerings in recent years,

7-Eleven #1 On CSP Top 101 C-Stores
7-Eleven has once again claimed the #1 spot on CSP’s Convenience Top 101 list.

Special NCASEF-NACS Membership Program
The National Association of Convenience Stores (NACS) is now offering a special membership price to 7-Eleven franchisees. Annual membership is $40—an 80 percent discount off the NACS starting membership rate of $200. The benefits of the NCASEF-NACS Membership Program include:

• Discounts to all NACS events.
• Discounts on all NACS training, educational, and operational products.
• Access to NACS Help Desk, an information resource that provides answers to retailer member questions and facilitates greater industry connections.
• Full voting rights as a NACS Domestic Retailer member.

All you need to do is complete the one-page membership application to NACS, provided by your FOA and available on the NCASEF.com website. After you fill it out, fax it, scan and e-mail, or mail it to NACS.

The National Coalition Office
The strength of an independent trade association lies in its ability to promote, protect and advance the best interests of its members, something no single member or advisory group can achieve. The independent trade association can create a better understanding between its members and those with whom it deals. National Coalition offices are located in Santa Cruz, California.

SEI Issues Card Load Phone Scam Prevention Feature
Patriot Zone Asset Protection Manager Terry Drivas recently informed East Coast franchisees of a new feature added to the ISP POS Security Levels list that will help cut down on gift, credit, and debit card phone scams. In his memo to storeowners, Drivas stated that store employees are simply ignoring the POS prompt not to load cards over the phone and franchisees are not emphasizing the threat in an expedient manner when hiring new employees. He added that in 2015 there were 146 attempted card load phone scams in the Zone with 59 of those attempts being successful, resulting in a total loss to stores of over $61,000. Franchisees can now select POS Function “Load” then “Supervisor Override” in the “Security Level” ISP screen. This will allow only employees assigned “Supervisor Override” status to load cards and will require a tenured/experienced employee on each shift to have this status.

7-Eleven #1 On CSP Top 101 C-Stores
7-Eleven has once again claimed the #1 spot on CSP’s Convenience Top 101 list. The third-annual Convenience Top 101 ranks the largest convenience store chains by store count—owned/operated and franchised locations—in the United States and even more of a competitor to quick-service restaurants, according to the publication.
Wal-Mart To Build Its Own Gas Stations

After a 20-year partnership with fellow Arkansas-based company Murphy USA, gas stations outside Walmart stores will be operated by and branded Walmart going forward, reported USA Today. The decision, which was made during discussions with Murphy in late January, is in line with Walmart’s aim to make gas stations a bigger part of its strategy to drive traffic and sales, with plans “to put fuel stations in as many locations as we can,” spokesman Randy Hargrove told the newspaper.

While Walmart operates a couple hundred gas stations at Walmart stores in the U.S., Murphy operates the majority—at about 1,100 Walmart stores. Murphy will continue to oversee those stations and proceed with plans to open an additional 60, but after that all future gas stations will be built by Walmart. Although the big box retailer recently announced it would close more than 150 stores in the U.S., it also plans to open more than 300 new ones over the next year, where providing customers with the option to fill up their tanks will be a top priority.

Several NY Franchisees Sue SEI Over Master Lease

Six franchisees—owning 7-Eleven stores on Long Island, New York, operating under the 2004 Agreement—have commenced a lawsuit against SEI, in the Federal Eastern District Court of New York. The continued on page 20
Whether you know it or not, SEI in 2015 instituted live monitoring at the register to cut down on gift card, credit card, and debit card phone scams. According to SEI Product Manager Brian Brooks, “Transactions over $3,000 activated within a certain time frame puts a freeze on the effected prepaid cards and turns the store off from activating any further cards for a period of time.” This is especially important when the phone scam happens on 3rd shift and the employee is not aware that they were just scammed, or the phone line is busy at the store. “With this new monitoring, in 2015 no franchisee lost more than $3,000 in one transaction to these scams, and franchisee exposure was cut in half,” says Brooks. “The recovery rate doubled. Over $230,000 of $400,000 was recovered in 2015, according to SEI, and the major benefit of this live monitoring is being able to freeze funds and verify activity when suspicious transactions take place in stores before the fraudster depletes all the funds. The same system allows for money to be released to the customer if verification showed that the customer paid for the transaction, thus not disappointing the customer with frozen funds. Recovered funds are averaging a credit back to franchisee monthly financials within 4-6 weeks.

Long-term, the goal is to continue to reduce fraud in the future, but there are some things franchisees can do ongoing in their stores. Brooks advises franchisees to keep employees trained, and if your store experiences a phone scam, call Asset Protection to record the incident within 24 hours. This allows Asset Protection to research the event and provide more evidence as they investigate and prosecute those who defraud the system.

C-Stores Growing In Florida

Florida has experienced a significant growth of convenience stores in recent years, and it appears it won’t slow down anytime soon, reported the Sun Sentinel. The state has grown from 9,348 convenience stores in 2011 to a record 9,910 in 2015, according to the Florida Petroleum Marketers and Convenience Store Association, a division of the Florida Retail Federation. Additionally, South Florida is poised for more convenience stores over the next few years—Pennsylvania-based Wawa last year announced plans to open 120 or more of its stores in the region between 2017 and 2022; RaceTrac said it plans to open five more in South Florida per year through 2019; and Cumberland Farms, headquartered in Massachusetts, also has been expanding in the region.

“With the new monitoring, in 2015 no franchisee lost more than $3,000 in one transaction to these scams, and franchisee exposure was cut in half.”
Seattle Franchisees Fight $15 Wages

The International Franchise Association wants the Supreme Court to take up its challenge to portions of Seattle’s $15 mini-mum wage law, reported CNBC. After Seattle’s City Council voted in June 2014 to raise the minimum wage in increments—hitting $15 an hour in July 1, and Los Angeles and San Francisco are enacting similar increases in July, on route to $15 an hour phased in over six years. Currently, 29 states plus the District of Columbia and about two dozen cities and counties have their minimum wage at levels higher than the federal minimum. Many are now in the midst of multi-year phase-in plans that will ultimately take them to between $10 and $15 an hour.

The 14 states where increases took effect on January 1: Alaska ($7.25 to $8.50), Arkansas ($7.50 to $8.00), California ($9.00 to $10.00), Colorado ($8.23 to $8.31), Connecticut ($9.15 to $9.60), Hawaii ($7.75 to $8.50), Massachusetts ($9.00 to $10.00), Michigan ($8.15 to $8.50), Nebraska ($8.00 to $9.00), New York ($8.75 to $9.00), Rhode Island ($9.00 to $9.60), South Dakota ($8.50 to $8.75), Vermont ($9.15 to $9.60) and West Virginia ($8.00 to $8.75). Maryland will raise its minimum wage from $8.25 to $8.75 on July 1, and Minnesota from $7.25 to $7.75 on August 1.

Cities and municipalities that have or will raise their minimum wage rates this year include (list compiled by the law firm Fisher & Phillips LLP):

- **Alaska**—Juneau, Anchorage
- **Arkansas**—Little Rock, Fayetteville
- **California**—Los Angeles, San Diego, San Francisco
- **Colorado**—Denver, Colorado Springs
- **Connecticut**—Hartford, Stamford
- **Delaware**—Wilmington
- **District of Columbia**—Washington, D.C.
- **Florida**—Miami, Orlando
- **Georgia**—Atlanta, Savannah
- **Hawaii**—Honolulu, Hilo
- **Illinois**—Chicago, Springfield
- **Indiana**—Indianapolis
- **Iowa**—Des Moines, Cedar Rapids
- **Kansas**—Topeka, Kansas City
- **Kentucky**—Louisville, Lexington
- **Louisiana**—New Orleans, Baton Rouge
- **Maine**—Portland, Ellsworth
- **Maryland**—Baltimore, Rockville
- **Massachusetts**—Boston, Worcester
- **Michigan**—Detroit, Grand Rapids
- **Minnesota**—Minneapolis, St. Paul
- **Mississippi**—Jackson, Hattiesburg
- **Missouri**—Kansas City, St. Louis
- **Montana**—Bozeman, Billings
- **Nebraska**—Lincoln, Omaha
- **Nevada**—Las Vegas, Reno
- **New Hampshire**—Manchester, Concord
- **New Jersey**—Jersey City, Newark
- **New Mexico**—Albuquerque, Santa Fe
- **New York**—Buffalo, Rochester
- **North Carolina**—Charlotte, Raleigh
- **Ohio**—Cleveland, Columbus
- **Oklahoma**—Oklahoma City, Tulsa
- **Oregon**—Portland, Salem
- **Pennsylvania**—Philadelphia, Pittsburgh
- **Rhode Island**—Providence, Newport
- **South Carolina**—Columbia, Charleston
- **South Dakota**—Sioux Falls, Pierre
- **Tennessee**—Nashville, Memphis
- **Texas**—Austin, Dallas, Houston
- **Utah**—Salt Lake City, Provo
- **Vermont**—Montpelier, Burlington
- **Virginia**—Richmond, Norfolk
- **Washington**—Seattle, Spokane
- **West Virginia**—Charleston, Morgantown
- **Wisconsin**—Milwaukee, Madison
- **Wyoming**—Cheyenne, Laramie

**7 Eleven**

### Legislative Update

**2016 Minimum Wage Hikes**

As the United States marks more than six years without an increase in the federal minimum wage of $7.25 an hour, 14 states and several cities have moved forward with their own increases, with most kicking in on January 1, reported Reuters. California and Massachusetts are highest among the states, both having increased from $9 to $10 an hour. At the low end is Arkansas, where the minimum wage increased from $7.50 to $8. The smallest increase, a nickel, comes in South Dakota, where the hourly minimum is now $8.55. With the January 1 increases, the new average minimum wage across the 14 affected states jumped from $8.50 an hour to just over $9.

Several cities are going even higher. Seattle set a sliding hourly minimum between $10.50 and $13 on January 1, and Los Angeles and San Francisco are enacting similar increases in July, on route to $15 an hour phased in over six years. Currently, 29 states plus the District of Columbia and about two dozen cities and counties have their minimum wage at levels higher than the federal minimum. Many are now in the midst of multi-year phase-in plans that will ultimately take them to between $10 and $15 an hour.

### Seattle Franchisees Fight $15 Wages

The International Franchise Association wants the Supreme Court to take up its challenge to portions of Seattle’s $15 mini-mum wage law, reported CNBC. After Seattle’s City Council voted in June 2014 to raise the minimum wage in increments—hitting $15 an hour by 2017 for businesses with at least 500 work-

ers—the International Franchise Association and five Seattle franchisees quickly sued Seattle. They argued that the mandated $15 pay unfairly lumps franchised businesses with large employers. The association and franchisees want to be recognized as smaller businesses to get more time to raise pay incrementally to $15 by 2021. In March 2015, a federal judge threw out the franchise groups’ law-
suit, and the decision was upheld in September by the 9th U.S. Circuit Court of Appeals.

“Our appeal has never sought to prevent the City of Seattle’s wage law from going into effect,” franchise association President Robert Cresanti said. “Our appeal to the Supreme Court will be focused solely on the discriminatory treatment of franchisees under Seattle’s wage law and the motivation to discriminate against interstate commerce.” The association said a response is due from the city of Seattle soon, and the Supreme Court is ex-

continued on page 48

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**EFFECTIVE JURISDICTION CURRENT NEW DATE**

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<th>Current PRICE</th>
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**Visit the National Coalition Website:**

**www.ncoaef.com**

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The IFA claims Seattle’s $15 pay law unfairly lumps franchisee businesses with large employers.
Wal-Mart Raises Pay Of Most Of Its Workers

Wal-Mart Stores Inc. raised the pay for nearly all of its U.S. employees on February 20 as part of an ongoing effort to recruit and retain retail employees in a tightening labor market, reported the Associated Press. The average hourly wage increased from $13.10 to $13.38 for full-time employees and from $10 to $10.58 for part-timers, and all full-time hourly employees now have free short-term disability coverage, the retailer said.

Wawa & Sheetz Increase Employee Wages

Two Pennsylvania-based convenience store chains—Wawa and Sheetz—recently announced they will increase the minimum wages they pay their employees, reported Philly.com. Wawa, of Media, will raise the minimum hourly wage it pays its store workers to $10. Altoona-based Sheetz, with $6.9 billion in revenue and 17,000 employees, said it would spend $15 million to increase wages. The company said it will start shifting supervisors at $13 an hour and assistant managers at $16. The move comes amidst a tightening labor market, where there is now competition for workers at all levels, including low-wage workers.

Gas Tax Changes Ring In The New Year

Gas taxes increased in four states on January 1st, while it decreased in five others, according to the Institute on Taxation and Economic Policy’s Tax Justice Blog. Gas tax rates declined in New York (0.8 cent cut), North Carolina (1.0 cent cut), Pennsylvania (0.2 cent cut), Vermont (0.27 cent cut), and West Virginia (1.4 cent cut)—in most cases.

7-ELEVEN STORE SELLS JACKPOT-WINNING POWERBALL TICKET

Crowds gathered at a 7-Eleven store in Chino Hills, California on the night of January 13 once the state Lottery identified it as having sold one of three winning tickets for the $1.6 billion Powerball, reported CBS News. After the announcement, the store—owned by FOA of Greater Los Angeles Board member Balbir Atwal—and its surrounding strip mall immediately became a wildly popular gathering spot in the usually quiet Los Angeles suburb. TV footage showed hundreds of people, from news crews to onlookers, crowding the store and spilling into its parking lot. Balbir Atwal appeared on “Good Morning America” the following day and said he was “feeling very good” after the win. His store received a $1 million bonus for selling the winning ticket.

When asked to rank the factors in selecting a grocery store by order of importance, 70 percent of shoppers surveyed said price was the leading factor, 59 percent said products/brands they specifically need, 48 percent said store location and 31 percent said faster checkout, according to new research from Blackhawk Engagement Solutions. 

According to a survey of consumers who visit the shopping website Retale.com, 43 percent of respondents have used a mobile device to make a purchase inside a retail store, reported Payments Source. That’s up from 36 percent one year ago. 

In its fiscal year 2015 financials, Dunkin’ Brands reported that its Dunkin’ Donuts U.S. sales grew 1.4 percent, its Baskin-Robbins U.S. sales grew 6.1 percent, and its revenues increased 8.3 percent. The company also said it added 349 new Dunkin’ Donuts in the U.S. 

McDonald’s credits its all-day breakfast strategy—rolled out nationally in October—with helping increase sales at its U.S. restaurants 5.7 percent in the quarter ended December 31, reported USA Today.

Salty snacks are an impulse driven category (68 percent of purchases are unplanned) and the majority of salty snacks are eaten in the afternoon, within one hour of purchase (85 percent of shoppers eat salty snacks quickly after purchase), according to a new survey by General Mills Convenience and Foodservice. 

CSNews Online, citing a study by BizBuySell.com, reported that c-store operators both asked for more and received more for their properties last year compared to 2014, reported CSNews Online, citing a study by BizBuySell.com. Since 2009, Americans have become more savvy and efficient with their shopping trips and saving, according to a new study by The National Coalition for the Retail Industry. 

To order call The Coffee Bar Experts® at 888.620.9910.

To order the National Coalition for the Retail Industry’s WhiteWave for Home, call 800.770.5724.
In December, we had more stores reporting a decline in gross profits than in previous months. I asked some franchisees what they thought could be the cause of this decrease and one of their responses was, “We have too many promotions.” While it is true that we need promotions to help drive traffic into our stores, we are not obligated to run every single one. It is best to seek out those promotions that are fully funded by the vendor, that work best for your store and customers, and that generate the best gross profits. Also, I believe that properly managing your hot foods program will further help boost your bottom line.

When it comes to selecting which promotions to run, it’s a bad idea to click and accept all the promotions just so you could be done with that task. In my store, I go through each promotion to find out if they are fully funded or not, and to look at the return on gross profit. The fact of the matter is that sacrificing gross profit dollars in order to drive business on a non-funded program doesn’t have a positive affect on your store or your profitability. These are usually short promotions that don’t help you keep the sales momentum, anyway.

Additionally, going through the monthly POP, I encourage you to look through each promotion and designate the ones that are best suited for your geographic area and promote those that you feel will bring in the most traffic. I also recommend that you strongly advertise the fully funded promotions, which can be done without really sacrificing gross profit dollars.

Next, I suggest that you promote your hot food offerings by letting your customers know that we carry a great selection at a very good price. Show off your hot food items and have your employees promote them even further by bringing them to your customers’ attention. Pizza should always be part of your selection because it attracts many new guests. It’s a great product at a great price. Pizza is actually driving our hot foods business, and with that comes incremental sales.

Over time you will be able to fine-tune your hot food offerings by evaluating the data and deciding which products are not working for your store in terms of generating sufficient gross profit dollars. I believe that no one at SEI would argue that you cannot carry or drop a certain item as long as you have the sales data to back you up. So it’s important that you keep a record of each item’s monthly performance. It’s my hope that management at SEI are themselves evaluating the hot foods sales data throughout the country to help make deletions and bring in new products.

I believe that employing this strategy of carefully deciding which promotions to participate in and fine-tuning your hot food offerings will help you maintain a gross profit percentage you will be happy with. In the end, no one knows his or her store better than you, the franchisee, and ultimately any decision regarding promotions and hot foods is yours.

JOE GALEA can be reached at 831-426-4711 or joeg@ncasef.com
We as franchisees face many different issues on a day-to-day basis while operating our stores. Many are between us and SEI in relation to the operation of our stores, compliance with new sales plans, cleanliness, various policies adopted by SEI, shared responsibilities— you name it and differences can arise on any issue. Most of the time the issues are due to the interpretation of any policy—the way a field consultant looks at it or a market manager deals with it, and of course in some cases, how we the franchisees think is right the way to interpret it. It does not take long for issues to become a sore point between both parties, and it may take forever to resolve these issues if both parties don’t communicate effectively. A simple dialogue may resolve these issues at the market level, but unfortunately it does not happen in most cases.

When I was president of the South Nevada/Las Vegas FOA, the entire Board adopted a policy to invite the local market managers to our Board meetings and general meetings to address local issues. Our Board would prepare a list of local issues to discuss with the SEI team, and they in turn would come back to us with a resolution. Or if it was out of their jurisdiction, they would send it up to the zone manager. It took some time to get this process running effectively, but once in place it worked very well for both parties. Later on, the market managers started bringing field consultants along with them to our general meetings so that some of the local issues could be resolved on the spot. Other issues were regularly rolled up to the zone manager and SEI higher-ups, as they were national issues. In many cases, our Board arranged meetings between local SEI management and a few franchisees to address some concerns at the store level and avoid any LONs or breaches. Regrettably, it seems few FOAs may have adopted this policy of inviting local SEI managers to their meetings. The relationship has changed a little bit nationally; however, as SEI executives have been attending FOA general meetings and trade shows, but not all over the country.

Why should SEI managers attend local FOA meetings? Most RI meetings are designed to promote the sales plan and the primary motive behind is to sell, sell, sell—by zone leaders, but if you feel it is not addressed or resolved properly please feel free to contact the National Coalition office, your Chairman, or me. You have our commitment that we will try our best to address and resolve your issues.

I request and appeal to all the FOA presidents, vice presidents, Board members, franchisees and the entire SEI team—local and national executives—to communicate effectively and take this relationship to a new level. There is no issue that cannot be resolved by mutual understanding and is fair to both parties for their financial success.

FOA Meetings With Local SEI Management Are Mutually Beneficial

BY JAY SINGH, EXECUTIVE VICE CHAIRMAN, NCASEF

There is no issue that cannot be resolved by mutual understanding and is fair to both parties for their financial success.
In a previous issue of Avanti, we described an initiative of the National Labor Relations Board (NLRB) and the United States Department of Labor, which some have characterized as a frontal assault on the franchise model as we know it. The NLRB has alleged that McDonald’s as a franchisor is jointly liable along with its franchisees for any violations of law by employees of the franchisees. Those proceedings before the NLRB have been bogged down in discovery disputes and are not likely to come to trial any time soon. For more detail, you can visit the NLRB website at https://www.nlrb.gov/news-outreach/news-story/nlrb-office-general-counsel-authorizes-complaints-against-mcdonalds.

However, this past September the United States District Court for the Northern District of California found, in a so-called wage theft case, that McDonald’s was in fact not the joint employer of the franchisee’s employees. This created some optimism on the part of both franchisee and franchisor advocates, who are (or ought to be) on the same page in their opposition to this joint employer theory.

The joint employer initiative has also been championed by the U.S. Department of Labor. The head of its Wage and Hour Division, Dr. David Weil, has publicly supported a more widespread application of this theory as a way of increasing wage and hour compliance. Just a few weeks ago, new guidelines were issued on how the U.S. Department of Labor will apply the joint employment theory in the labor context. Details can be found at http://blog.dol.gov/2016/01/20/are-you-a-joint-employer.

This past October, in my capacity as a member of the Governing Committee of the American Bar Association Forum on Franchising, I was privileged to co-moderate a panel consisting of Dr. Weil and Richard Griffin, General Counsel to the NLRB. While they both denied that their goal was to disrupt or dismantle the franchise model, they did not retreat from their overall stated goals. These concerns are not theoretical for 7-Eleven franchisees. It has recently come to my attention that the U.S. Department of Labor investigated two 7-Eleven franchisees in a particular city and assessed overtime penalties with respect to an employee that worked at both locations. The two franchisees in question (who will not be identified by name or geographic location in this article) are entirely separate operations. Each has its own corporation and Employer Identification Number. Neither of the two franchise locations share managers or perform management services for the other. Neither of the two franchise locations have any ownership interest in the other. In short, while they are both franchisees of SEI, they have no other relationship other than the fact that a single employee works at both locations. As it happens, the combination of the hours worked in a week by the single employee exceeded 40 in a week.

“The U.S. Department of Labor investigated two 7-Eleven franchisees in a particular city and assessed overtime penalties with respect to an employee that worked at both locations.”
The Joint Employer Debate

continued from page 31

number of instances. Nevertheless, the U.S. Department of Labor treated these two completely independent franchised locations as a single entity and made each liable for their pro rata share of the overtime assessment.

In a related development, in January, a court in Massachusetts was confronted by a seemingly similar but in many ways different fact pattern. In this non-franchise case, a manager sued the parent company of a chain of restaurants as well as the separate corporations that own each of the individual restaurants in the chain. The claim was that the parent company, as well as the separately incorporated restaurant locations, were part of a single integrated enterprise and thus, each was liable to the other for all debts and liabilities, including those related to wage act claims. The difference between this Massachusetts case and the facts involving the SEI franchisees is that the ownership of the parent company, as well as the ownership of the individual restaurant locations, was all the same. For this reason, the Massachusetts court held that the plaintiff could proceed against the parent corporations, as well as against the individual restaurant locations.

These facts are not transferable to the franchise context. In the example quoted above, neither of the franchised locations has an ownership interest in the other. In addition, as we all know, neither SEI nor the franchisees have an ownership interest in each of the individual restaurants. As we have repeatedly stated in this space in the past, there are many issues on which SEI and the National Coalition could and should collaborate for their mutual benefit. We have also stated in the past that neither SEI nor the franchisees would benefit from the imposition of joint employer liability. The case described above involving neighboring 7-Eleven franchisees referred to above should not have been assessed overtime for their common employee.

There are many issues on which SEI and the National Coalition could and should collaborate for their mutual benefit. The case involving neighboring 7-Eleven franchisees is a current and highly relevant example.

continued from page 24

Eric H. Karp
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IN THE WAKING hours of Tuesday, a seemingly similar but in many ways different fact pattern. In this non-franchise case, a manager sued the parent company of a chain of restaurants as well as the separate corporations that own each of the individual restaurants in the chain. The claim was that the parent company, as well as the separately incorporated restaurant locations, were part of a single integrated enterprise and thus, each was liable to the other for all debts and liabilities, including those related to wage act claims. The difference between this Massachusetts case and the facts involving the SEI franchisees is that the ownership of the parent company, as well as the ownership of the individual restaurant locations, was all the same. For this reason, the Massachusetts court held that the plaintiff could proceed against the parent corporations, as well as against the individual restaurant locations.

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continued from page 24

Integer Group and MAR/VE Research

Shoppers who prepare a list have more than doubled from 29 percent to 63 percent, and 45 percent of shoppers utilize coupons for everything they buy, up from 36 percent.

The California Department of Transportation is seeking 5,000 volunteers for an experimental program that will change motorists’ fee based on how far they drive—a proposal that could replace the state gas tax as a way to fund highway maintenance and repairs, reported the Los Angeles Times. A former notorious wage scandal was uncovered by local media outlets, 7-Eleven Australia announced it has appointed a special investigator to ensure its workers aren’t being exploited, reported the Australian Associated Press. Presidential candidates Ted Cruz and Carly Fiorina recently participated in separate NACS in-store events in Iowa, in which they worked behind the counters of two c-stores and interacted with members of the local community while learning more about the convenience and fuel retailing industry, reported NACS Online. A research analyst at ReportsnReports.com predict the global sports and energy drinks market will grow steadily at a compound annual growth rate of 11 percent between 2016 and 2019. The analysts claim the use of natural ingredients is one of the primary drivers for the growth of this market. The Hershey Company recently launched a contest through open innovation company NineSigma to find a lightweight, affordable cool shipping solution that will keep chocolate close to the temperature at which it was packed for at least 48 hours during the summer months and in warmer climates. Green America recently congratulated the Campbell Soup Company on its support of federal legislation to establish a single mandatory labeling standard for foods derived from genetically modified organisms (GMOs) and its move to voluntarily disclose the presence of GMOs in all its foods in the absence of such a standard. Presidential candidates Carly Fiorina and Ted Cruz recently participated in separate NACS In Store events in Iowa, in which they worked behind the counters of two c-stores and interacted with members of the local community while learning more about the convenience and fuel retailing industry, reported NACS Online.

M/A/R/C Research.

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LET’S LAY ALL OUR CARDS ON THE TABLE

SERGE HAITAYAN
NCASEF VICE CHAIRMAN, PRESIDENT, SIERRA FOA

After the National Coalition’s Board of Directors meeting in San Antonio in October, there were whispers among franchisees and SEI higher-ups not in attendance that NCASEF Vice Chair Jas Dhillon and I had invited a prominent Dallas litigator to the meeting. There was talk that we were planning a lawsuit against our franchisor. Well, allow me to set the record straight: Yes, Jas and I did talk to several lawyers across the country and decided to get some clarity on our independent contractor status from Marc Culp, the lawyer who settled the OFF/Valente lawsuit in the 1990s and helped negotiate the 2004 Agreement. Let me clarify why we sought that advice.

The National Labor Relations Board (NLRB) has brought multiple proceedings against McDonald’s, alleging that the fast feeder is a co-employer of the workers hired by its franchisees. So we suspect and fear that after McDonald’s, SEI may be next on the NLRB’s list—or on the list of the U.S. Department of Labor—and it appears that the sword of an investigation could someday soon be hanging over SEI’s head. In fact, one analyst believes that the NLRB should skip McDonald’s and go after SEI directly because it can prove its case much easier.

In January, a franchising consulting company hired by SEI to conduct a comprehensive study of the entire system interviewed me. They interviewed plenty of folks at SEI and many other franchisees. During my meeting with the consultant, I outlined what is wrong with our system. I told them how SEI has too much control over all aspects of our stores. I told them about our ordering window restrictions, and about an ordering system that costs us too much more in labor. I mentioned franchisees financing the CDC distribution system, which we did not ask for or want. I told them about our contract, which was changed from 15 years to 10 years, and that our franchisor gradually took away a big chunk of our profits, and drastically changed the gradual split and renewal fee. I told them how the gasoline credit card fees have affected franchisees’ bottom lines, the introduction of Mitsui as our broker with vendors even though we are big enough in many instances to deal directly with vendors ourselves, and a maintenance system that has saved SEI millions of dollars by shifting more of its costs to franchisees. The list goes on.

Getting back to the NLRB, we do not want SEI to be investigated or labeled as our co-employer because it would wreck havoc on our system and our livelihoods.

“I don’t want SEI to be investigated or labeled as our co-employer because it would wreck havoc on our system and our livelihoods.”

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“committed to meaningful dialogue concerning the 2019 contract, I see us heading that way.

What we are hoping is that SEI understands the severity of this issue and that it is in their own interest to give franchisees a contract that will eliminate the sword hanging over their head, and give franchisees room to operate our stores at a profit and with more autonomy. SEI has an army of lawyers and consultants. We as franchisees are good at selling Slurpees, not negotiating contracts. Hence, the reason we sought a lawyer to understand the conflict being continued on page 39.”
I’ve been a franchisee for many years and I’ve seen my share of unfair practices by SEI. In some instances, I let things roll off my chest. I’ve come to realize that some battles aren’t worth fighting. But in other instances, like the way that SEI is treating their vendors, I feel that something must be said.

As we all know, the vendor/franchisee relationship is very important. The National Coalition, FOA groups and franchisees value this partnership, and we do everything possible to treat it with the respect it deserves. We need the vendors, and the vendors need us. It’s a beautiful give and take, and we work together for the benefit of all parties involved. Unfortunately, SEI doesn’t seem to see it this way, especially when the cost to exhibit is beyond their budgets. So what happens? In order to make up for the money needed to exhibit at the 7-Eleven Experience, the vendors are forced to increase the cost of goods. Who ends up paying the price? The franchisees!

SEI has an obligation, by contract, to provide its franchisees with the lowest cost of goods from SEI-approved vendors. My friends, I can guarantee that this is not happening. In fact, Walmart, Target and other stores’ retail prices are LOWER than what 7-Eleven franchisees are paying as their cost price! Because of this, it is almost impossible for 7-Eleven franchisees to compete in the current economic climate. In fact, SEI is proposing to increase the retail prices even more in order to offset the recent hikes in minimum wages imposed by states and cities across the country. Does this make sense? I don’t think so!

Here’s another problem: this year there will be two 7-Eleven trade shows in Las Vegas—the 7-Eleven Experience in February and the National Coalition’s trade show in July. Do we really need two trade shows in Las Vegas within months of each other? Is it fair to ask the vendors to participate in both? It would have been so much better if SEI and the National Coalition joined forces and produced a joint trade show like the FOAC and the National Coalition did in Chicago last year. Truthfully, the National Coalition or any other member of the Board. I welcome your opinion, blessing or criticism!

If SEI was serious about negotiating the lowest cost of goods for franchisees, they wouldn’t be charging the vendors so much money to exhibit at the 7-Eleven Experience—and franchisees are paying the consequences.

It’s a known fact that SEI puts pressure on the vendors to exhibit at the 7-Eleven Experience. Of course, vendors oblige because they want to maintain a positive relationship with SEI; even if the cost to exhibit is beyond their budgets. So what happens? In order to make up for the money needed to exhibit at the 7-Eleven Experience, the vendors are forced to increase the cost of goods. Who ends up paying the price? The franchisees!

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WHEN VENDORS’ RESOURCES ARE STRETCHED THIN
continued from page 39

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When vendors’ resources are stretched thin, it’s time for FOA leaders throughout the country to realize that it’s impossible for vendors to financially support the trade shows and events of all 43 FOAs. I encourage FOAs in the same areas to consider joining forces and producing their shows jointly in order to help vendors reduce their expenses. It’s not secret that vendors are complaining about the financial burden they are subjected to by SEI and by individual FOAs. We must do what we can to help reduce their financial load.

The individual FOAs can only do so much. It’s time for SEI’s upper management to make some changes for the benefit of their franchisees. Receiving the lowest cost of goods is essential for our success. We cannot remain competitive without it. Will SEI do the right thing? Will they stop taking advantage of their vendors and start doing what a good franchisor should do? Time will tell. I just hope it won’t be too late.

> Here’s The Reality

It’s difficult to see how SEI could possibly negotiate the lowest cost of goods for franchisees when they ask the vendors to financially support the 7-Eleven Experience. Wanting to keep SEI happy, vendors have no choice but to pay our franchisor what they demand, and vendors make up for their loss by adding dollars to the cost of goods sold to franchisees.

What SEI is doing is wrong and unfair. SEI should be more mindful of a franchisees’ disappointment. They are encouraged by SEI to attend the 7-Eleven Experience with promises of a big announcement that will make things better and change their financial situations. And every year, franchisees are disappointed.”

> Bits & Pieces

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“The Guardian

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Franchisee Guest Column

As I write this article, I am on a flight to the 7-Eleven Experience (7EE). The flight is completely full, and most of the passengers are local franchisees and vendors who service our stores. The 7EE offers franchisees a great opportunity to see and identify ways to build their business, and also offers vendors an opportunity to showcase their products to franchisees and 7-Eleven employees. The first few years of the 7EE did not offer vendors an opportunity to sell their products, but that has changed. This year franchisees received a Pre-book Order Guide upon registering so they could place orders on the spot. This is great for the vendors, but it comes at a cost to the greater franchise community.

The National Coalition’s membership continues to grow as more FOAs form and join—a direct consequence of SEI’s recent and continuing expansion throughout the country. Vendor support is crucial to the success of our local FOAs and the National Coalition because without it regional and national franchise events like trade shows, charity golf tournaments and community events would not be possible. However, given the growing number of FOAs and their local events—coupled with their commitment to exhibit at the 7EE—vendors are now saying they feel it is becoming financially difficult to participate in every franchise event. Last year there were some 20 or so local FOA trade shows. This required vendors to travel to 20 locations and spend days travelling and in hotels. Not only does this cost the vendors time, it also reduces their financial resources that can be used to benefit our members.

Franchisees and vendors need to maintain a relationship that is mutually beneficial to both parties. Let us be realistic—we are in the business of selling goods and services to our guests, to optimize our profits and make a living for our families. Our vendor partners are in the business of selling their products to any merchant who will buy them, to maximize their profits and shareholder value. 7-Eleven is in the business to sell franchises. In order to cement and strengthen the relationships between us and our vendor friends, franchisees at both the local and national level must change some of their behavior. This is critical to the survival of our associations. What can local FOAs do? One answer is to hold consolidated trade show events, much like the FOA of Greater L.A. and the San Diego FOA do every year. The Central Florida and South Florida FOAs also do it, as well as the Chesapeake-area FOAs. These consolidated trade shows help to reduce the financial strain on vendors and offer them the opportunity to get more bang for their buck as they see more franchisees at one event.

One answer is to consolidate trade show events, which will help to reduce the financial strain on vendors and offer them the opportunity to get more bang for their buck as they see more franchisees at one event.

Vendors’ Support Is Crucial To Our Mutual Success

By Michael Jorgensen, NCASEF Treasurer, Vice President, Central Florida FOA

“When you attend your local FOA meeting or trade show, visit with the vendors, take time to learn about their products or services, and determine if their offerings would help your business.”

“As I write this article, I am on a flight to the 7-Eleven Experience (7EE). The flight is completely full, and most of the passengers are local franchisees and vendors who service our stores. The 7EE offers franchisees a great opportunity to see and identify ways to build their business, and also offers vendors an opportunity to showcase their products to franchisees and 7-Eleven employees. The first few years of the 7EE did not offer vendors an opportunity to sell their products, but that has changed. This year franchisees received a Pre-book Order Guide upon registering so they could place orders on the spot. This is great for the vendors, but it comes at a cost to the greater franchise community.

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What can individual franchisees do? When you attend your local FOA meeting or trade show, visit with the vendors.
Take the time to learn about their products and/or services. Determine if what they have to offer would help your business. If it does, then place an order right then and there. Vendors and exhibitors at trade shows are there to take orders for products. If they do not get adequate order activity they will take their promotional dollars to people and places that will honor and appreciate it.

We cannot assume that the supplier community will be available to support these events. It must be mutually beneficial for a vendor and the franchisees, but the expectation of the vendor is they are there to make a sale. If their product or service does not work for your store, you are under no obligation to purchase it.

Additionally, attend the National Coalition Convention and Trade Show. This event offers plenty of opportunities to meet and network with our vendors, as well as SEI and National Coalition leadership. This premier event, now in its 41st year, is one place where we as franchisees can gather, meet with our peers, exchange ideas and find products and services just right for our stores. It is an experience you will not want to miss! Our future and yours depends on it! AV

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Don't forget that March is National Frozen Food Month! The month of March provides the ideal opportunity for the retail industry to deliver innovative messaging to boomers, millennials, and multicultural audiences about all of the benefits that frozen food has to offer.

This year marks the 33rd anniversary of this premier industry event with a promotional push that is bigger and better than ever. The theme is "Take a Fresh Look at Frozen Food Month is the perfect time to take a look at your frozen food departments and ask the following questions:

- Are we utilizing promotions and price reductions that are offered from the manufacturer to encourage product trial and incremental volume?
- Are we using signage and point-of-sale that lets the guest know that our store offers top-selling frozen food brands and products so that they can save a trip to some other store?
- Are we communicating to our guests that frozen foods offer an immediate convenience and/or take-home meal solution that generates profitable volume across all channels. Today, frozen food is everywhere—grocery stores, convenience stores, drug stores, dollar stores, club stores—and the frozen food phenomenon continues to grow!

Over 92 percent of convenience stores carry frozen food, according to the most recent NACS State of the Industry Report. The frozen food category in convenience stores is dominated by five major segments: frozen handheld items (chimichangas, pocket sandwiches), frozen entrees (chicken fried rice, lasagna, mac & cheese), frozen snacks (pizza rolls, taquitos), frozen pizzas, and ice cream/novelties.
Employers will have to be able to prove they pay both genders equally for ‘substantially similar’ work. The law has spurred employers to reassess the way they pay and classify workers. Some have conducted complex audits of their payrolls seeking to uncover any disparities, while others have puzzled over what experts say is a ‘substantially similar’ work provision. The law is expected to make companies from paying men and women differently for equal work. The law’s most important provision is that employers must use any differences in job responsibilities as a rationale for pay disparities.

### House Passes Menu-Labeling Bill That’s Easier On C-Stores

The U.S. House of Representatives recently passed HR 2017—the “Common Sense Nutrition Disclosure Act for 2015”—by a vote of 266-144, reported USA Today. The bill guts a proposed Food and Drug Administration rule requiring convenience stores, chain pizzerias and delis to list the calorie content of their meals on menus or menu boards prominently displayed on the premises. Instead, consumers will have to access a menu app, reported the Pioneer Press.

### Easier On C-Stores

- **Labeling Bill**
  - The bill was passed without the “similar work” provision, allowing employers to pay men and women differently for “substantially similar” work.
  - The law aims to close the wage gap between men and women, with a provision that allows employers to pay both genders equally for “substantially similar” work.

- **California Fair Pay Law**
  - California now has the strictest fair-pay law in the country, reported the Wall Street Journal.
  - Under the state’s Fair Pay Act, which aims to close the wage gap between men and women, employers will have to be able to prove they pay both genders equally.

**Note:** These policies and laws were discussed in the context of workplace equality and fair compensation, highlighting the importance of fair provisions to ensure equal pay for equal work.
After 40 years, an expired lease, and one gigantic rent increase, Franchisees Bob and Leslie Strauss are exiting the system. Bob served on numerous national boards and committees for 7-Eleven, including NAC, DAC, PLC, NBLC, etc., but most importantly Bob organized the formation of the FOA of Chicagoland, and served as president or on the FOAC Board of Directors for more than 38 years. National Coalition officers, the Board of Directors, and franchisees from around the country wish Bob and Leslie the best of luck in retirement and future endeavors. —Ed.

‘Twas the night before Christmas and instead of preparing for my 41st 7-Eleven Christmas, I’m gathering thoughts about the completion of a long run—the closing of the store that I opened in 1975. Some of my family and friends never really understood why I looked forward to working each Thanksgiving and Christmas. Customers who had moved from the area, as they graduated, started careers and families, often came home for the holidays. They also came by 7-Eleven to say “hi.” Even during the years that I owned four stores, I made sure that I was on the schedule for the holidays.

The landlord’s unrealistic dreams of a rent increase caused the unimaginable to happen. Our first store-front banner proclaimed “The Little Store That Never Sleeps,” and aside for an hour or two for a false bomb threat or drive through, we made good on that pledge. The lights stayed on and the doors stayed open for 40 years.

So many years, so many terrific people, customers, peers, management, employees and suppliers. I’ve been living the dream. It’s funny how things work out. When Advisory Councils were first formed, franchisees elected me to those councils. A year later, I met with a number of franchisees and the FOAC was soon formed. Good fortune with business, FOA, vendor and community relations was only possible because of being surrounded by so many good people—lots of talented, caring folks.

My long-term plans didn’t include leaving or closing my store. Once Lesley and I made the decision to not be franchisees, the most amazing thing happened. Management, at all levels, refused to accept the claim that I was “good” and ready for life without a store. Many National Coalition leaders also found it hard to believe that I was good with the situation. It took time, but most of them finally understood that my relationship to the store’s three generations of customers and the community was the adrenaline that woke me early each morning. I could have accepted a free transfer to some mighty nice stores in another neighborhood, but those stores wouldn’t have had my old customers.

I experienced the next surprise during the closing of the store. After countless years trying to assist upset franchisees who called with frantic questions during their changeover audits, I was prepared for the worst. It turned out that the hardest thing wasn’t the audit or the final paperwork, it was taking off the uniform and walking out the door for the final time.

“My long run as a store operator has ended, but not my desire to see franchisees and 7-Eleven do great things.”

By Bob Strauss | Former Franchisee, Chicago

continued on page 52
So many years, so many terrific people, customers, peers, management, employees and suppliers. I’ve been living the dream.”

There was still one more surprise waiting for me. 7-Eleven asked if I had heard about the party. Not sure if it was a cute expression of pleasure that I was soon leaving the system, with a straight face I asked “What party?” That’s when I got the biggest and best surprise of all. The company wanted to host a retirement party and said I could even invite 30, 40 or more franchisees. Now came the challenge—telling 7-Eleven that I wanted to include every area FOA president, current or past. These were the people who I wanted to honor for their commitment to bettering the system and helping me, too. I also wanted to invite some customers, many who I’ve known for 35 or 40 years. Without a blink of the eye, that’s exactly what the company agreed to. It was all so much more than I could have imagined.

I couldn’t have asked for more as a franchisee, and now I look forward to a chance to build more unity in the franchise community. My long run as a store operator has ended, but not my desire to see franchisees and 7-Eleven do great things.

“So many years, so many terrific people, customers, peers, management, employees and suppliers. I’ve been living the dream.”
Profitability For 7-Eleven Franchisees: The Best Kept Secret

By Marla Caplan, Vice President, TaxBreak

A Special TaxBreak Program Just For You

7-Eleven Corporate and TaxBreak—the nation’s leading tax credit provider—have partnered to offer 7-Eleven franchisees an incredibly simple and easy program to increase their Work Opportunity Tax Credit (WOTC) opportunities! The best part of the program is that there is no financial risk, as our program requires no upfront fees or costs—it is 100 percent success based. Each new hire may be worth up to $9,600 in tax credits for your business. This is not an opportunity you can afford to miss!

The WOTC Program Overview

High turnover is typical with hourly workforces. Constant churn can create huge financial losses for many franchisee businesses. The WOTC program provides an outstanding opportunity to help offset turnover costs and save money as you hire. The program also helps you identify excellent job candidates that may otherwise be overlooked, and helps you become a more profitable business.

In December 2015, a five-year extension of the WOTC with “Vow to Hire Heroes Act” was signed into law. This legislation represents a renewed commitment and opportunity to offset the cost of the hiring process, and once again help businesses increase their bottom line as they hire human resources.

The WOTC program provides federal tax credits to financially reward employers that hire individuals who have typically had a harder time finding employment. Job candidates that are typically tax credit eligible include: military veterans, TANF recipients, SNAP (food stamp) recipients, designated community residents, vocational rehabilitation referrals, individuals with a criminal record, Supplemental Security Income recipients, and summer youth employees.

WOTC By The Numbers

• Every year, the government offers U.S. businesses nearly $1 billion in tax credits.
• Astonishingly, only 25 percent of business owners take advantage of the program.
• 20-25 percent of hourly employees typically qualify the company for a tax credit.
• Tax credits typically range from $1,200 to $9,600 per hire.
• Tax credits can significantly impact your company’s bottom line. Consider a franchise owner that employs approximately 500 individuals and experiences an 80 percent turnover rate each year. Through the WOTC program this franchise owner could qualify for as much as $116,160 in tax credits.

Who Wins With WOTC?

• Employers Win—WOTC reduces an employer’s cost of doing business. Tax credits may be worth up to $9,600 per employee hired.
• Job Candidates Win—Job candidates that faced significant barriers to employment (e.g. military veterans) are highlighted and offer employers just one more benefit to hiring them.
• The Government Wins—WOTC helps targeted workers move from economic

GET STARTED WITH TAXBREAK NOW

TaxBreak is the nation’s leading tax credit experts with 75,000 client locations, 16 years experience, and 10 million+ requests processed to date. Participating in the 7-Eleven TaxBreak program is easy! Getting started is even easier!

Step 1: Access forms via 7Hub (Human Resources > Hire Right > Making the Hire)
Step 2: Mail originals to TaxBreak
Step 3: Complete Client Service Agreement
Step 4: Start processing your new hires
Step 5: Contact your Client Relations Manager anytime you have a question
dependency into self-sufficiency as they earn a steady income and become contributing taxpayers. This reduces the financial burdens of government assistance programs and gets more Americans back to work.

If you have any further question about the program, please call Beth Ferguson, Customer Relations Specialist, at (256)399-0236 or via email at bferguson@taxbreakcredits.com

New San Diego FOA Officers

The San Diego FOA recently held elections to appoint its 2016 Executive Officers. Congratulations to (from left to right): Vijay Bouter, Secretary; Gary Singh, First Vice-President; Cindy Keller, Chief Financial Officer; Bob Elkins, President; and Gurpal Paintel, Second Vice-President.

FOAGLA & SAN DIEGO FOA HOLD SUCCESSFUL JOINT TRADE SHOW!

The FOA of Greater Los Angeles and the San Diego FOA held its 6th Annual Trade Show at the Pechanga Resort and Casino in Temecula on January 20, 2016. The event was a huge success for vendors and franchisees alike, with over 90 vendor booths and more than a 1,000 franchises from both FOAs in attendance. The trade show featured a raffle with great prize giveaways, including a 2016 Chevy Cruz won by Harshik Thakkar.
because of gas tax rate structures that link the rate to the average price of gas (an approach similar to a traditional sales tax applied to an items purchase price). Meanwhile, gas tax rates jumped in Florida (0.1 cent increase), Maryland (0.5 cent increase), Nebraska (0.7 cent increase) and Utah (4.9 cent increase) at the start of the New Year.

Wal-Mart To Close Express Stores
Wal-Mart Stores, Inc. is pulling the plug on its smallest store format—Walmart Express—and closing 269 locations globally, including 154 in the United States, in a restructuring that will affect 16,000 workers, reported Reuters. The move comes three months after the company’s CEO disclosed plans to review the retailer’s global operations and shut underperforming stores. Wal-Mart said it planned to close 102 of its Express format stores, which at 12,000 to 15,000 square feet are less than one-tenth the size of a typical Supercenter. The format had been in pilot since 2011 but did not deliver the desired results. The other 52 U.S. stores are a mixture of Supercenters, Wal-Mart’s largest format; discount stores; a grocery format called Neighborhood Market; and outlets in the company’s Sam’s Club bulk-selling wholesale chain.

Target To Open More Small-Format Stores
Target Corp. has announced its 2016 and 2017 store openings, and nearly all are smaller stores located in urban areas, reported the Sioux Falls Business Journal. The retailer is planning to open stores in the New York City, Boston, Philadelphia and Chicago areas next year ranging from 19,000 square feet to 45,000 square feet on two levels. The stores are planned to include apparel, home, and general merchandise.
Mobile Coupon Usage Up In 2015

The number of consumers in the U.S. who used a mobile coupon in 2015 grew 18 percent to 92.6 million, reveals Koupon Media’s 2016 State of the Mobile Coupon Industry report. The data found in the study also points to the rise of mobile coupons in mobile marketing:

• 42 percent of mobile users have used a mobile coupon.
• 39 percent of customers spend more if they receive a personalized coupon.
• 68 percent of customers would adopt mobile payments if offered coupons.

The redemption data in the report focuses on convenience stores, a vertical that is showing some of the largest growth in all of retail. Data in the report points to energy drinks, soda, and juice as the highest redeeming categories for mobile coupons.

SEI Begins Moving Into New Headquarters

7-Eleven, Inc. began moving into its new 325,000-square-foot corporate campus at Cypress Waters in Irving, Texas as construction on the project rounded the last lap, reported the Dallas Business Journal. By late January, the building was roughly midway through its finish-out. The executive floor on the fourth floor of the sprawling mid-rise campus was yet to be finished out for executives. The common areas throughout the building were also being completed with electricians and painters working diligently to get it ready for the full move in mid-February.

Casey’s Launches Online Pizza Ordering App

Casey’s General Stores, Inc. has launched a smart phone app that allows its customers to order pizza, made-to-order sub sandwiches and appetizers. Casey’s recently completed the implementation of online ordering in all of their stores company wide, and the app makes online ordering more convenient for customers using their mobile devices. Customers who download the app have access to special offers and promotions, be able to check gas prices at nearby locations, and play games for prizes. The app also has a feature that enables a customer to easily see the locations of all Casey’s stores between destinations along a planned travel route.

Cash Is Still King

A new survey by Cardtronics, Inc. reveals that despite of people having access to and using a greater variety of payment methods, cash remains widely used and frequently selected for making all sorts of payments. From convenience store purchases to tipping, cash retains a prominent place in the consumer payments landscape. The survey asked, “What type of payment have you used in the past year for the following situations?” And the answers revealed that while consumers are using a mix of payment methods, time and again, cash is number one in a variety of scenarios, including:

• Convenience store purchases—Cash: 63 percent; runner-up Debit at 41 percent
• Snacks away from home—Cash: 67 percent; runner-up Debit at 37 percent
• Grocery Store—Cash: 52 percent; runner-up Debit at 51 percent
• Small business—Cash: 49 percent; runner-up Credit at 43 percent
• Restaurant—Cash: 53 percent; runner-up Credit at 48 percent

The number of consumers in the U.S. who used a mobile coupon in 2015 grew 18 percent to 92.6 million.
• Tipping—Cash: 78 percent, runner-up Credit at 27 percent
  Among all adults, 37 percent said their use of cash had increased. The survey also found that women are more likely than men (39 vs. 29 percent) to use cash to help stay on budget.

NY Cracks Down On Credit Card Skimmers At Gas Pumps

New York State officials recently announced the results of a first-ever, statewide effort to crack down on illegal credit and debit card skimmers at gas pumps in every county of the state. During its inspection sweep in November 2015, members of state and municipal weights and measures bureaus found six skimmers installed in gas pumps, all of which were turned over to local police for investigation. Officials said they will continue to check for skimmers as part of their regular inspections, adding a measure of security for consumers, particularly around the holiday travel season.

The Department of Agriculture and Markets Bureau of Weights and Measures launched this effort after developing and providing training to county weights and measures officials to spot skimming devices in their communities. In total, state and county inspectors checked 10,001 gas pumps, nearly 25 percent of all dispensers in the state, from November 2 through 25, which marked the start of the traditional Thanksgiving travel season.

Breakfast Foods To Proliferate New Dayparts

Among consumers who now purchase breakfast away from home more often than they did a year ago, the majority (60 percent) report cutting back on other daypart purchases as a result, according to Technomic’s 2015 Breakfast Consumer Trend Report. Breakfast has been a bright spot in the industry in recent years, with consumers’ increasingly fast-paced lifestyles, growing interest in morning fare at nontraditional times and extended all-day breakfast programs fueling the trend. As a result, lunch and dinner sales may continue to feel the effects. Technomic recommends food-service operators market breakfast items as ideal for snacks, particularly by targeting younger consumers who are especially likely to order breakfast for between-meal occasions, in order to drive incremental fare between breakfast and dinner.

Most Popular Confectionery Trends Of 2015

Among more than 300 product categories across the store, confectionery is growing faster than 184 other categories, with 92 of those actually showing declines, reports the National Confectioners Association. Over the 52 weeks through November 1, 2015, confectionery kept in lockstep with the total store growth of 3.2 percent, with a dollar sales growth of 3 percent for combined chocolate and non-chocolate. Some of the sales trends that drove the market growth in 2015 were: chewy candy, mints, gourmet/premium chocolate, fun and daring flavor combinations, the infusion of nuts/dried fruits, minis featured in re-sealable packaging, and dark chocolate.

Hot ‘N Spicy Acquired By Home Market Foods

Home Market Foods recently acquired Hot ‘N Spicy Inc., best known for its Bahama Mama brand of premium sausages and its Gourmet To Go brand of sausages and frankfurters, reported Convenience Store News. Home Market Foods said it plans to leverage its infrastructure to expand the reach of the newly acquired brands to more consumers. In addition, the combined team will be focused on bringing innovation to these categories.

Consumers Want To Stay Protected At The Register

A new Morning Consult survey reveals that almost one year after President Obama’s Summit on Cybersecurity and Consumer Protection, 75 percent of registered voters agree stores should move as quickly as possible to adopt new forms of electronic payments that would help protect consumer information. Over six in 10 voters (63 percent) say stores and retailers should offer a number of payment types that consumers think are secure, compared to less than two in 10 (19 percent) that say stores or retailers should only accept payment types that store prefers.

Seventy-five percent of consumers feel stores should move quickly to adopt new forms of secure electronic payment.
ShopRite has teamed with MasterCard and Samsung to develop the Family Hub Refrigerator—a new appliance that includes a touch screen that allows consumers to order groceries from their own kitchens, reported Progressive Grocer. A new Harris Poll survey on comfort foods reveals that pizza is the favorite go-to dish for Americans. Number 2 is chocolate and coming in third is ice cream. Diebold, Inc. has introduced a new mobile-enabled self-checkout concept that allows consumers to scan items they want to purchase while shopping in-store via their mobile device. Once a consumer is ready to pay, they simply tap their phone at the self-checkout unit when exiting. A recent survey conducted by c-store chain Cumberland Farms found that lottery players are actually not so superstitious, with 64 percent of respondents saying they rarely play the same numbers more than once if they don’t win and 59 percent saying they pay no attention to a store’s previous history of winners when deciding where to purchase tickets. Alimentation Couche-Tard recently confirmed that it has closed the acquisition of leading convenience and fuel retailer Topaz Energy Group Ltd. in Ireland as previously announced in December. Topaz is made up of 444 stations across Ireland, including its recently acquired Esso station network. Hamburger chain White Castle continued...
New Jersey Gov Rejects Smoking Age Increase

New Jersey Governor Chris Christie recently decided not to act on a bill that would have raised New Jersey’s smoking age to 21, keeping the age to buy tobacco products at 19, reported the Courier-Post. The bill, which passed the Democratically led Legislature amid a surge in lobbying from the tobacco industry, would have fined retailers up to $1,000 if they sold cigarettes to anyone 20 years old or younger. Underage smokers would have gone unpunished.

Missouri Tax Hike Bills Split Tobacco Companies

A pair of rival ballot measures that seek to raise Missouri’s lowest-in-the-nation 17-cents-a-pack tax on tobacco products could pit tobacco companies against one another this year, reported the Kansas City Star. One would ask voters to amend the state’s constitution to raise the tax 60 cents per pack and use the new money to pay for early childhood education, and is supported by big tobacco companies—including electronic cigarettes that are also known as “vapes”—to anyone 20 years old or other tobacco products—including electronic cigarettes that are also known as “vapes”—to anyone 20 years old or younger. Underage smokers would have gone unpunished.

Florida Considers Cigarette Tax Increase

A Florida lawmaker recently introduced a bill that would increase the state’s cigarette tax by $1, reported WCTV-TV. Florida currently has a $1.34 tax on each pack of smokes. The legislature last increased the tobacco tax in 2009. The Centers for Disease Control says the extra tax would cost smokers $500 million more for Florida. “Maybe they won’t do a dollar a pack, maybe they’ll do 50 cents a pack, but do something to raise cigarette awareness, we’re trying to get more and more people to quit,” said Rep. Richard Stark, who is sponsoring the bill.

Legislative Update

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definition of a decade Missouri lawmakers have declined the state attorney general’s request to pass a law to nullify a pricing advantage that small tobacco manufacturers enjoy. Big tobacco companies like RJ Reynolds and Philip Morris were included in a 1998 legal settlement that forced them to make annual payments to Missouri to cover the health damage their products caused smokers. Smaller tobacco companies were not included in that settlement. The early childhood education ballot measure would address that difference. The transportation funding ballot measure would not.

Aldermen Block Chicago Mayor’s Tobacco Legislation

Opponents of Chicago Mayor Rahm Emanuel’s plan to raise the legal age to buy cigarettes in the city to 21 and increase a series of tobacco taxes blocked a vote recently, after the mayor tried to jump-start the measure by pledging to crack down on illegal activity. The aldermen used a procedural move to delay the vote until the next meeting in March. That will give opponents time to try to sway fellow aldermen to join them in voting no on the ordinance, or to convince the mayor to agree to further changes, according to the report.

The mayor amended his ordinance to raise fines for illegal cigarette sales and to include a provision specifying that the roughly $6 million expected to be raised annually from tax increases on chewing tobacco and cigars will go toward high school orientation classes, smoking cessation programs for young people and enforcement of the rules against selling illegal smokes. The aldermen opposing Emanuel’s proposal said it would hurt retailers and further strengthen the market for illegal “loose” cigarettes.

Indiana Court Shoots Down C-Store Cold Beer Sales

An effort to invalidate Indiana’s cold-beer statute failed again recently, following an appeals court decision that keeps the status quo—convenience and grocery stores can only sell beer at room temperature, reported the Lafayette Journal & Courier. The ruling comes more than two years after the Indiana Petroleum Marketers and Convenience Store Association filed a federal lawsuit seeking to overturn the state’s decades-old law that prohibits convenience stores, gas stations and grocery stores from selling cold beer, but allows liquor stores to do so. The 7th U.S. Circuit Court of Appeals said grocery and convenience stores in Indiana “simply don’t operate in the manner required for a beer retailer’s permit.” Indiana law allows grocery, convenience and drug stores to sell warm beer through a beer dealer’s permit.
THIRD 7-ELEVEN APPROVED FOR DALLAS AIRPORT

The Dallas Fort Worth International Airport (DFW) Board recently approved proposals for several new concessions contracts, among them a third 7-Eleven location to be located inside Terminal D. Paradies LaGardere, Inc. will operate the new 7-Eleven under a ten-year lease term, with plans to open later this year. Last November, Paradies LaGardere, Inc. opened DFW’s first 7-Eleven in Terminal A at Gate A22, and a second location is already planned for Terminal E. The Board also approved a new beverage contract for The Coca-Cola Company. The 10-year contract takes effect in March 2016 and will include Coca-Cola brands of bottled, canned, and prepackaged beverages at DFW Airport concessions, retail locations and some other concession facilities.

ADULTS-ONLY PRODUCTS TO 7-REWARDS APP

7-Eleven is expanding its mobile rewards program via a verification system for age-restricted promotions, enticing shoppers interested in alcohol, tobacco and gambling products to sign up for the application, reported Mobile Commerce Daily. The 7-Rewards app had previously been restricted to deals on products available to all ages, leaving out a method to drive sales for a significant portion of its inventory. The company’s latest promotion is prompting users to verify their ages via the app to receive these promotions in the future, driving sales for these products while also catering to a larger demographic.

LIPMEDRX TO BE SOLD IN SOUTHERN CALIFORNIA 7-ELEVENS

Advantis Corporation recently announced that it has finalized a deal with participating Southern California 7-Eleven stores to launch its new LipMedRX, the first ground-breaking cold and flu preventive product in the lip balm industry. LipMedRX is an innovative anti-germ lip balm protectant, for which studies have shown to be highly effective in killing those germs associated with cold and flu on the lips before they enter the mouth. The product was also designed to be a moisturizing agent that keeps lips soft and smooth.

SECOND ‘OPERATION: TAKE COMMAND’ KICKS OFF

SEI is recruiting qualified men and women who have been honorably discharged from the U.S. Armed Forces to enlist in the company’s second Operation: Take Command competition. One deserving and lucky veteran will be awarded a 7-Eleven fee-free franchise, a value of up to $190,000. The winner can choose any of the company’s 7-Eleven convenience stores available in the continental U.S. at the contest’s culmination. Interested veterans were able to enter online through February 26, 2016. The winner will be announced in June. The Operation: Take Command initiative is a multi-phased competition that includes meeting 7-Eleven’s franchising qualifications and successful interviews. The top 25 will be invited to submit a video on why they deserve a 7-Eleven franchise. Up to seven will be selected from this pool for the semi-final competition. Through votes on 7-Eleven’s Facebook page, the public will select three finalists to be interviewed by SEI’s franchise department management and narrowed to one winner.

Last year’s winners in SEI’s inaugural Operation: Take Command are now in business for themselves in stores of their choice. Mark Anthony Page, a Navy veteran, franchises a 7-Eleven store in Burleson, Texas. Salil Gautam, formerly with the U.S. Army, operates his store in Norfolk, Va., and Army reservist Robert Kemna recently took the reins of his new 7-Eleven store in Miami. The third winner of last year’s Operation: Take Command opened his 7-Eleven franchise in South Miami-Dade at the crossroads of Southwest 127th Avenue and Quail Roost Drive. A sign hanging above the merchandise said it all: “Proudly owned & operated by a U.S. Army veteran.” Kemna told the newspaper it’s a pretty good corner, and he hopes business will be brisk because the next nearest gas station is about two miles away. His first customer was his wife, who purchased a Slurpee and insisted on paying at the register.

SEI PARTICIPATING IN FORD’S NEW LOYALTY PROGRAM

SEI is one of two initial retail partners with Ford Motor Co. on its new FordPass smartphone mobile app, set to launch in April, reported Convenience Store News. As part of the program, FordPass will offer a loyalty program for its users. App customers who shop at 7-Eleven locations will be able to accrue points and in turn the retailers can offer shopping incentives to FordPass members. The FordPass mobile app is designed to help users with parking and many other services, whereby consumers can speak to live assistants via chat or voice.

Third winner of last year’s Operation: Take Command opened his 7-Eleven franchise in South Miami-Dade at the crossroads of Southwest 127th Avenue and Quail Roost Drive. A sign hanging above the merchandise said it all: “Proudly owned & operated by a U.S. Army veteran.” Kemna told the newspaper it’s a pretty good corner, and he hopes business will be brisk because the next nearest gas station is about two miles away. His first customer was his wife, who purchased a Slurpee and insisted on paying at the register.
New products and services for 7-Eleven Franchisees

TruMoo Gets a Calcium Boost
Dean Foods recently unveiled new TruMoo Calcium Plus low-fat chocolate milk to its line of dairy products. Like regular TruMoo, TruMoo Calcium Plus milk contains no high fructose corn syrup, no artificial growth hormones and no artificial sweeteners—and is made with 50 percent more calcium per serving than regular low-fat white milk. TruMoo Calcium Plus milk is marketed in the dairy case in half gallon bottles with an SRP of $4.49. To learn more about TruMoo Calcium Plus and other TruMoo milk varieties, please visit www.TruMoo.com.

Swisher Sweets Unveils Its Encore Edition
When people can’t get enough, they demand an encore, and that’s just what Swisher Sweets believes consumers will want from its new Swisher Sweets Encore Edition cigarillos. Encore Edition brings the limited edition taste of Wild Rush—which experienced off-the-charts popularity—permanently to the Swisher Sweets line-up. As well, it includes a new White Grape taste that is sure to be a hit.

Incredibly popular Tonight Dough.

Ben & Jerry’s The Tonight Dough
(starring Jimmy Fallon)
In 2015, Ben & Jerry’s launched The Tonight Dough, taking the world by storm and achieving the #1 flavor in velocity, inspired by the show and host we love staying up late for, it’s a flavor customers will love spooning into. Ben & Jerry’s The Tonight Dough is caramel and chocolate ice creams with chocolate cookie swirls and gobs of chocolate chip cookie dough and peanut butter cookie dough. SLIN: 191112

Ben & Jerry’s Brownie Batter Core
Ben & Jerry’s is the #1 selling ice cream and represents more than 50 percent of 7-Eleven Take Home Ice Cream sales. In 2014, the Ben & Jerry’s “Cores” launch got off to a strong start and hasn’t slowed down since: 2016 continues that momentum, building on the most successful platform launch in B&J’s history. Ben & Jerry’s Brownie Batter Core features vanilla and chocolate ice creams with fudge brownies and a brownie batter core. SLIN: 190197

Magnum Double Chocolate Vanilla Ice Cream Bar
New Magnum Double Chocolate Vanilla is a silky vanilla bean ice cream covered in layers of chocolate sauce and cracking Belgian chocolate. From the outside, the double-dipped Magnum looks like an ordinary bar. It’s not until you bite into them that you appreciate all of the layers that make them truly extraordinary. Magnum is entering its fifth year in the U.S. market and is already the #1 Super Premium stick brand, as well as having the highest repeat rate of any brand in the category. SLIN 190206

Ben & Jerry’s Brownie Batter Core continues the successful core program.

UNILEVER INTRODUCES NEW FROZEN TREATS
Unilever has unveiled three new products designed to boost frozen treats sales:

• Ben & Jerry’s The Tonight Dough
(starring Jimmy Fallon)
• Ben & Jerry’s Brownie Batter Core
• Magnum Double Chocolate Vanilla Ice Cream Bar

Exploding with the rich, crave-worthy flavors of warm, loaded baked potatoes
• Only 130 calories per 1oz serving
• Made from real potatoes to give you thick, crunchy chips

7 ELEVEN

BACON, RANCH, LOADED POTATOES.
YES, THIS IS REALLY HAPPENING.

• Brings together creamy ranch and sizzling bacon flavors to create a magical taste experience
• Uses dual sheeting technology to replicate real potato skins
• Gluten Free with 0g Trans Fat

UNILEVER INTRODUCES NEW FROZEN TREATS
Unilever has unveiled three new products designed to boost frozen treats sales:
Grape is a new taste that has been re-blended for a bolder fruity taste. These cigarillos feature new package designs with the Swisher Sweets shield centered on front and indicating “Encore Edition.” They are available in three price points: 2 for 99¢, 2 for $1.49, and Save on 2. Swisher Sweets Encore Edition cigarillos started shipping to stores on February 1, 2016. For more information or to place an order, contact your Swisher representative at 1-800-874-9720.

Bazooka’s All New Crunchkins

Crunchkins by Bazooka Candy Brands are dessert-flavored poppers with a creamy coating and a light, crunchy center available in three delectable kid-selected flavors: Birthday Cake, Fudge Brownie, and Glazed Donut. Crunchkins creates an all-new, sweet snacking category on trend and highly incremental to the set. Bazooka Candy Brands is dedicated to building kids brands and expanding your business. “Sharability” is driving the non-chocolate segment (up 56 percent in Convenience), so new Crunchkins will drive kids sweet snacking with the new share pack item.

5-HOUR ENERGY ANNOUNCES 7-ELEVEN EXCLUSIVE

New Blue Raspberry Extra Strength 5-hour Energy shots are almost here. From May through October 2016, 7-Eleven retailers will have exclusive access to this exciting line extension. 5-Hour Energy is 7-Eleven’s best selling energy shot and maintains a 93 percent market share in c-stores, and Blue Raspberry is a top trending beverage fruit flavor across all demographics. With its eye-catching packaging and fantastic flavor, Blue Raspberry Extra Strength 5-hour Energy shots are sure to be a hit with your customers. Plus, you get special pricing—2/$5.50 in P3 (May /June Sales Plan).

Also available is a versatile shipper that can be displayed on the floor or used as a power wing. Order from McLane now through March 6, and expect delivery between April 20-26.

BLUE RASPBERRY IS A TOP TRENDING BEVERAGE FRUIT FLAVOR ACROSS ALL DEMOGRAPHICS.

Blue Raspberry Extra Strength 5-hour Energy shots will be sold exclusively at 7-Eleven stores May through October 2016.

BEST-SELLING YOGURT BRAND AT 7-ELEVEN*

Check that the above items are IN-STOCK!

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<tr>
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*7-Eleven Exchange 15 wks ending 11/29/15, $ Sales

Aaron Steinbach, Regional Sales Manager
(402) 250-9985
aaron.steinbach@chobani.com
Stock Up On Top-Selling Chobani Flip
Chobani Flip is a unique combination of creamy Chobani Greek yogurt and real, delicious ingredients perfectly crushed snack. Available at 7-Eleven, Chobani Flip Almond Coco Loco is the top-selling single serve yogurt nationally and contains coconut low-fat Greek yogurt combined with honey roasted salted almonds and dark chocolate.

Chobani Flip Almond Coco Loco is the top-selling single serve yogurt item nationally.

All-Natural Premium Angus Beef Sticks
Due to a successful statewide launch in Florida, Wyoming Gourmet Beef’s Cowboy Angus Beef Sticks have expanded nationally and are now available for all 7-Eleven stores. With a 45 percent gross profit margin, these all-natural premium Angus beef sticks are gluten free, protein rich, and made with hormone and antibiotic-free beef—ideal for the growing demand of health options in convenience stores. With only 130 calories, this is a nutritious, on-the-go snack that boasts a bold Cowboy Hickory Smoked flavor that is sure to leave your customers satisfied. Email mstrow@WYProducts.com for a sample and order SLN #303952 from McLane.

INVENTURE FOODS LAUNCHES NEW POTATO CHIPS

Inventure Foods recently introduced several new potato chip flavors to the market. The TGI Friday’s Sweet Potato Skins, Bacon Ranch Skins and Loaded Skins are in the National 7-Eleven POG. Boulder Canyon is the fastest growing potato chip brand in the U.S. TGI Friday’s Sweet Potato Skins—Made from real sweet potatoes to give you thick, crunchy chips that deliver big sweet potato taste.

Boulder Canyon Sweet Vidalia Onion Kettle Cooked Potato Chips—Seasoned with a spice from real Vidalia onions and slow cooked in small batches for an irresistible crunch. Available in clip strips and shipper displays.

Boulder Canyon Coconut Oil Kettle Cooked Potato Chips—Cooked in 100 percent coconut oil and contain three simple ingredients: potatoes, sea salt, and coconut oil.

Boulder Canyon Olive Oil Kettle Cooked Potato Chips—Made from real potatoes to give you thick, crunchy chips that deliver big loaded potato taste. Only 140 calories per ounce serving. Gluten free with 0g trans fat.

Nathan’s Classic Hot Dog Flavored Potato Chips—Classic hot dog taste with a crunch! Packed a flavorful punch with only 220 calories per serving. These delicious chips are GLUTEN FREE and have no tran fats.

Boulder Canyon Avocado Oil Canyon Cut Kettle Cooked Potato Chips—Made with three ingredients: potatoes, avocado oil, and sea salt. Cooked in 100 percent avocado oil and contains 22 percent less fat than the leading kettle chips.

Wyoming Gourmet Beef’s all natural premium Cowboy Angus Beef Sticks.
First Snickers Bar Under 200 Calories

Hunger keeps creating new problems—often combining multiple symptoms—so Snickers Brand created a new snacking solution to satisfy hunger: Snickers Crisper. Boasting multiple textures, new Snickers Crisper delivers "crispy satisfaction" in the form of crisped rice and peanuts, topped with a layer of caramel and coated in creamy Snickers Brand milk chocolate. Snickers Crisper is the first Snickers bar with less than 200 calories per serving—a singles pack includes two squares at less than 100 calories each.

To help introduce Snickers Crisper, the brand will roll out a fully integrated marketing campaign, including advertising, in-store displays and promotions. Suggested retail price is $0.99-$1.09 for 1.41oz “Single,” $1.69-$1.79 for 2.83oz “4 to Go” and $2.69-$3.99 for 10.61oz “Medium Fun Size Bag.”

Snickers Crisper offers multiple textures to satisfy hunger.

Celsius Approved For Sales In 7-Eleven Stores Nationally

Celsius Holdings, Inc., the creator and marketer of Celsius—the only clinically proven brand to burn body fat and calories while providing healthy energy—is pleased to announce approval for distribution in 7-Eleven stores nationwide. As of February 2016, Celsius is a part of the corporate approved plan, which designates the suggested placement of product on shelves for the cooler door sets. Celsius Sparkling Grape Rush, Sparkling Orange, Raspberry Acai Green Tea, and Peach Mango Green Tea drink flavors will be available in single can formats. Backed by multiple published university studies, drinking Celsius before moderate activity has been proven to help burn more body fat, burn 100 calories and more per serving and provide sustained, healthy energy. Celsius contains no sugar, no High-fructose corn syrup, no aspartame, no preservatives, no artificial flavors or colors, no gluten, and is vegan certified and low in sodium.

Slurpee 50 Promotion with Pop-Tarts Begins August 29

7-Eleven Slurpee is celebrating 50 years and Kellogg’s Pop-Tarts is throwing a party with a co-branded limited time promotion to create excitement in the channel. The Slurpee 50 party kicks off with Limited Edition Printed Fun Pop-Tarts in Frosted Strawberry and Frosted Blueberry. Once unwrapped, the Pop-Tarts reveal images of the Crazy Good Pop-Tart characters and birthday messages to Slurpee beginning Aug. 29.

Seneca Offers Greater Variety & Profits

Seneca tobacco products by Grand River Enterprises Six Nations, Ltd. are synonymous with quality, affordability and taste. Seneca offers a full line of premium cigarette products, including 8 different brand styles. The Seneca filtered cigar presents a leaf tobacco wrapper with a smooth tobacco flavor and tipping paper that complements the natural tobacco essence. For classic tobacco users that prefer the aroma of a pipe, there’s Seneca’s American Club Pipe Tobacco. This product is available in classic, light and menthol in various sizes.

Seneca offers a 100 percent guarantee and will exchange expired product for new product free of charge to any retail outlets. Seneca also offers fast, free no hassle delivery, no minimum order, and no restrictive agreements. Furthermore, Seneca Promotions provides advertising and marketing services in conjunction with promoting the Seneca brand. The Seneca brand is one of the fastest growing tobacco brands in the United States, and its high quality and low cost have contributed to its success.

Seneca offers a full line of premium tobacco products with a wide variety of flavors and styles.

Seneca healthy drinks burn body fat and calories.
continued from page 76

The whole celebration is contained in a pre-packed 360-degree display containing the printed fun Pop-Tarts with promotion through digital, social, POS, shippers, unique LTO packaging, website and more. The promotion will run from August 29 to November 11, 2016. To add to the fun all varieties of Pop-Tarts 2-count pouches are priced at 2/$1.50 in P5.

With similar consumer demographics and playful brand personas, a partnership between Slurpee and Pop-Tarts has potential for huge success. Together, these two powerhouse brands can create a fun promotion that adds new joy to the 7-Eleven shopping experience during the celebration of Slurpee’s 50th birthday.

New Planters Snack Mixes

Increase your snack sales with new Planters snack mixes. Each great tasting mix is specifically designed to create an experience similar to biting into one of your favorite desserts. Each has an SRP of $2.00.

- Peanut Butter Chocolate Trail Mix (SLN: 301539)—Innovated as peanut butter continues to grow in consumption, this mix delivers a wonderful balance of protein and indulgence. Contains Planters Honey Roasted Peanuts, Cocoa Almonds, Chocolate Covered Peanuts, and Peanut Butter Candy Pieces.
- Turtle Sundae Mix (UIN 294413)—Contains Chocolate Covered Caramel Bits, Vanilla Yogurt Covered Peanuts, Pecans, Salted Caramel Flavor Peanuts, and Chocolate Candy Covered Peanuts.
- Oatmeal Raisin Cookie Mix (UIN 294355)—With Oatmeal Flavor Covered Raisins, Yogurt and Graham Covered Raisins, Cinnamon Toasted Almonds, Pecans, and Raisins.
- Banana Sundae Mix (UIN 294421)—Contains Honey Roasted Peanuts, Chocolate Candy Covered Peanuts, Vanilla Yogurt Covered Peanuts, Strawberry Flavor Yogurt Covered Peanuts, and Banana Chips.

‘Better For You’ Bai Antioxidant Infusions

Bai Antioxidant Infusions from Dr Pepper Snapple are exotic fruit beverages with 5 calories, 1 gram of sugar and big, bold flavor. Bai Antioxidant Infusions have no artificial sweeteners and no artificial preservatives, are gluten free, and have a low glycemic index—a perfect “Better for You” choice. Bai beverages are powered by a secret “superfruit”—a.k.a. the coffeefruit—which includes the fruit surrounding the coffee bean. Syndicated data shows Bai (including Bai Bubbles) as the fastest growing brand within the enhanced water segment over the past year at +255.4 percent. SRP is $2.49. The top three flavors are Brasilia Blueberry, Molokai Coconut and Costa Rica Clementine.

Java Monster Introduces Salted Caramel

Java Monster is excited to introduce its newest addition to the Java line, Salted Caramel, a non-carbonated hybrid coffee + energy drink featuring a harmonious blend of rich caramel with a sprinkle of salt. The product features a sweet and savory caramel flavor consumers know and love, brewed with premium coffee and a silky, smooth cream blend, supercharged with the proprietary Monster Energy blend.

Regarded as the third most desired flavor by consumers, following chocolate and vanilla, the new Java Salted Caramel complements Java Monster’s diverse product line by delivering premium coffee + energy drinks with half the caffeine of regular coffee and twice the buzz. Java Monster Salted Caramel marks the company’s sixth flavor in the Java family joining Mean Bean, Loca Moca, Kona Blend, Vanilla Light, and Irish Blend.

Because of you, we can keep finding cures.

Because of you, discoveries at St. Jude Children’s Research Hospital® have helped push the overall childhood cancer survival rate from 20% when we opened to 80% today. But it’s not the same for every child. We won’t stop until no child dies from cancer.

Because of you, there is St. Jude. Visit stjude.org to join our mission.
**Redberry Yourself in Sales**

If you thought last summer’s Sour Patch Kids Watermelon Slurpee program was sweet, you haven’t seen anything yet. Summer 2016 is going to be red hot…with Sour Patch Kids Redberry! The program features an even greater, limited time, Sour Patch Red Berry Slurpee, an exclusive, “only the red ones” pack of Sour Patch Kids, plus pan promotions sure to cause a Sour Patch Kids Redberry rush.

**FOA Events**

- **Southern California FOA Annual Charity Golf Tournament**
  - TPC Valencia
  - Stevenson Ranch, California
  - September 12, 2016
  - Phone: 626-255-8555

- **Midwest FOA Michigan Annual Charity Golf outing**
  - Holiday Inn North Shore
  - Skokie, Illinois
  - November 11, 2016
  - Phone: 847-278-7415

- **Greater Seattle FOA Golf Tournament**
  - August 15, 2016
  - Phone: 425-308-1216

- **Greater Seattle FOA Picnic with tabletop trade show**
  - September 10, 2016
  - Phone: 425-308-1216

- **Alliance of 7-Eleven Franchisees Holiday Party & Tabletop Trade Show**
  - December 2, 2016
  - Phone: 630-202-1538

- **Northern California FOA Annual Christmas Party**
  - December 2, 2016
  - Phone: 916-412-3702

**Sour Patch Kids Redberry Slurpee program.**

- All Sour Patch Kids Candy 2 oz. bags—$2.52
- All Sour Patch Kids Redberry Candy 5 oz. bags, including the Exclusive Sour Patch Kids Redberry Candy 5 oz. bag—$2.52
- All Stride Sour Patch Kids Gum single packs—$2.52

Last year, the Sour Patch Watermelon Slurpee became one of the best-selling flavors in Slurpee history and Sour Patch Kids unit sales grew 82.6 percent. So get ready for red hot sales with the Sour Patch Kids Redberry Slurpee program.

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**Point of the Week**

Expect red hot sales with the Sour Patch Kids Redberry Slurpee program.
FOA EVENTS

CENTRAL FLORIDA FOA & SOUTHERN FLORIDA FOA COMBINED TRADE SHOW
April 7, 2016 (venue to be announced)
Orlando, Florida
Phone: 407-897-7484

COLUMBIA PACIFIC FOA TRADE SHOW
Red Lion Hotel Jantzen Beach
Portland, Oregon
April 8, 2016
Phone: 503-984-1398

SAN FRANCISCO/ MONTEREY BAY FOA GUARDIAN TRADE SHOW
Royal Palace Fremont
Fremont, California
April 9, 2016
Phone: 510-754-1113

SAN DIEGO FOA GOLF TOURNAMENT
Salt Creek Golf Club
Chula Vista, California
May 12, 2016
Phone: 619-713-2411

SOUTHERN CALIFORNIA FOA TRADE SHOW
Pasadena Convention Center
Pasadena, California
May 18, 2016
Phone: 626-255-8555

ALLIANCE OF 7-ELEVEN FRANCHISEES GOLF OUTING
(venue to be announced)
June 1, 2016
Phone: 630-202-1538

7-ELEVEN FOAC ANNUAL TRADE SHOW
Holiday Inn North Shore
Skokie, Illinois
June 9, 2016
Phone: 847-278-7415

FOA OF GREATER LOS ANGELES GOLF INVITATIONAL
Monarch Beach Golf Club
Dana Point, California
June 15, 2016
Phone: 951-766-7490

EASTERN VIRGINIA FOA PATRIOT ZONE TRADE SHOW
Hilton Garden Inn
Suffolk, Virginia
June 29, 2016
Phone: 757-506-5926

7-ELEVEN FOAC FAMILY PICNIC
Busse Woods Grove
Elk Grove Village, Illinois
July 16, 2016
Phone: 847-278-7415

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NCASEF BOARD MEETINGS

Wheels DEALS

NATIONAL COALITION BOARD OF DIRECTORS MEETING
The Westin Fort Lauderdale
Fort Lauderdale, Florida
May 3-5, 2016

NATIONAL COALITION BOARD OF DIRECTORS MEETING
Caesars Palace Las Vegas Hotel
Las Vegas, Nevada
July 23-24, 2016

NATIONAL COALITION 41ST ANNUAL CONVENTION & TRADE SHOW
Caesars Palace Las Vegas Hotel • Las Vegas, Nevada
July 24-28, 2016 • Trade Show: July 27-28, 2016

NEW GUM!

SLIN# 143989/UIN# 091017/15PC JUICY FRUIT STARBURST STRAWBERRY GUM
SLIN# 143903/UIN# 099096/15PC JUICY FRUIT STARBURST CHERRY GUM

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New Juicy Fruit Gum in the Starburst Flavors Everyone Loves!
INTENSELY COLD. UNMISTAKABLY COOL.

NEW ULTRA MENTHOL

The new addition to the Djarum Black line combines the unmistakable taste and aroma of clove with an intensely cold blast of menthol. No wonder more smokers than ever are asking for Djarum by name.

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