



South Carolina General Assembly Adjourned June 3

The South Carolina General Assembly adjourned the 2010 session on June 3rd, and returns to Columbia on June 15 for a three-day veto session. Hopes of adjourning early this year were dashed when House and Senate leaders could not agree on differing versions of the 2010-2011 state budget and were forced to send the appropriations bill to a

conference committee. The final appropriations bill was passed on June 3. To view a full version of the bill: <http://tinyurl.com/2fu3skm>.



SUPERB Fund Bill Becomes Law

Governor Sanford signed a bill aimed at enhancing SUPERB funding into law shortly before the session ended. *Continued on page 7*

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North Carolina's Worthless Check Program Continues to Grow

3 New Counties Join

In 1997, NCRMA successfully convinced the General Assembly to pass legislation creating a pilot program for prosecuting bad check writers. The program has since expanded to **49 of North Carolina's 100 counties**. Any merchant may still

choose to hire a collection agency rather than use the program through his local District Attorney's office.



The program allows bad check writers to avoid both prosecution and a criminal record if they pay a **\$60 fee** in addition to the **full amount of restitution** and a **\$25**

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Worthless Check

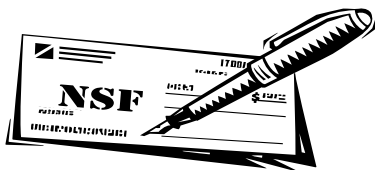
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service fee. The plan operates through the **district attorney's office** at **no cost to merchants** or to **the state.** The system is financed by the fees paid by bad check writers, making this program a **win-win-win.**

How the Program Works

Although the program may vary slightly from county to county, the basic procedures are outlined below.

After a worthless check is returned by the bank, the merchant must first try to collect the debt without going to the District Attorney's office. The retailer must send a **certified notification letter**, **return receipt requested**, to the check writer stating they have **30 days** to pay the debt.



If payment is not received, the merchant takes the check, the registered mail receipt, return receipt signature card, and a copy of the notification letter to the **Worthless Check** Coordinator's office in the county where the check was accepted and **completes an affidavit.** The county's Worthless Check Coordinator then uses the information to send the bad check writer a letter notifying the debtor that **prosecution can be avoided** by paying the full amount owed, plus a **\$25 service fee** and a **\$60 program participation fee.**

If a warrant is issued, the bad check writer will be forced to spend time in court and pay the fee plus the court costs (far in excess of \$60.)

The Worthless Check Coordinator has the authority to **negotiate a payment** plan with the bad check writer, in which case, the merchant will receive monthly payments. Only if payment is not received does the issue get forwarded to the Magistrate, where a warrant will be issued for the bad check writer's arrest.

The Worthless Check program now operates in **49 of the 100 North Carolina counties**; those counties that are underlined, in ALL CAPS and **bold**, were newly added:

ALAMANCE

Alexander
Anson
Beaufort
Bladen
Brunswick
Buncombe
Burke
Caldwell
Caswell
Catawba
Columbus
Cumberland
Davidson
Davie
Duplin
Durham
Edgecombe
HARNETT
Henderson
Hyde
Iredell
Johnston
Jones

LEE

Lenoir
Martin
McDowell
Nash
New Hanover
Onslow
Pender
Person
Pitt
Polk
Richmond
Rockingham
Rutherford
Sampson
Stanly
Stokes
Surry
Transylvania
Tyrrell
Union
Wake
Washington
Wayne
Wilson



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Searching for a fast, easy way to score big on shipping charges? CFIC and FedEx have teamed up to save you money on all FedEx Express and FedEx Ground shipments. To start saving, all you have to do is open an account. Or, if you have an existing FedEx account, just give us a quick call to enroll in this program. It's that simple.

FedEx Express:

Choose FedEx Express — the expert in delivery efficiency for your time-sensitive shipping needs. Your **CFIC discount** will save you money on all of your express shipments — including overnight service, economical 2-day and 3-day delivery and service to 210 countries.

FedEx Ground:

With a money-back guarantee and delivery to every business address in North America, FedEx Ground offers reliable economical ground service to meet all of your business-to-business shipping needs. Another smart shipping option is Multiweight®, FedEx Ground's cost-effective alternative to LTL, ideal if you ship multiple packages to a single consignee.

To have an enrollment form mailed or faxed, call Kristin at 919-832-0811 or e-mail kristinh@ncrma.org



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Contacting Your County's Worthless Check Program

Although each county operates under the language as outlined in the Statute, there is some room for discretion, and the detailed logistics of operation and process differ slightly from county to county.

To obtain the details of how the Worthless Check Program works in a specific county, we have provided a list of contact names and phone numbers for each county in North Carolina.

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C O U N T Y	Alamance	C O N T A C T	Candy Isley	T E L E P H O N E	(336) 438-1015
	Alexander		Kelly M. DeHart		(704) 878-3262
	Anson		John McCullers		(704) 694-0166
	Beaufort		Melissa Elks		(252) 946-4672
	Bladen		Cheryl N. Suggs		(910) 641-3067
	Brunswick		Cheryl N. Suggs		(910) 253-8202
	Buncombe		Jenny Gonzales		(828) 232-2683
	Burke		Stephanie Shepherd		(828) 466-6165
	Caldwell		Stephanie Shepherd		(828) 466-6165
	Caswell		Linda H. Ramsey		(336) 503-5235
	Catawba		Stephanie Shepherd		(828) 466-6165
	Columbus		Cheryl N. Suggs		(910) 641-3067
	Cumberland		Kathy Fancher		(910) 321-3619
	Davidson		Mitzi S. Meyers		(366) 242-6710
	Davie		Lisa Harris		(336) 751-0129
	Duplin		Linda J. Tyndall		(910) 296-1231
	Durham		Chris Foust		(919) 564-7121
	Edgecombe		Mindy Beach		(252) 823-7350
	Harnett		Rosalind Griep		(910) 814-4521
	Henderson		Donald Reeves		(828) 694-4187
	Hyde		Melissa Elks		(252) 946-4672
	Iredell		Kelly DeHart		(704) 878-3262
	Johnston		Tommy Ashley		(919) 209-5537
	Jones		Adrienne Smith		(910) 592-5143
	Lee		Rosalind Griep		(919) 708-4455
	Lenoir		Sidney R. Hill		(919) 734-2379
	Martin		Melissa Elks		(252) 946-4672
	McDowell		Anna M. Ward		(828) 652-2182
	Nash		Monica Brantley		(252) 977-7380
	New Hanover		Shannon Caulder		(910) 341-1422
	Onslow		Cynthia S. Williams		(910) 989-7478
	Pender		Stacy Giddens-Haines		(910) 259-1388
Person	Linda H. Ramsey	(336) 503-5235			
Pitt	Celeste Harris	(252) 695-7233			
Polk	Donald L. Reeves	(828) 694-4187			
Richmond	John McCullers	(910) 997-9105			
Rockingham	Gail Y. Willis	(336) 634-5616			
Rutherford	Anna M. Ward	(828) 287-5449			
Sampson	Linda J. Tyndall	(910) 592-5282			
Stanley	John McCullers	(704) 983-4020			
Stokes	Joan Simpson	(336) 386-8178			
Surry	Joan Simpson	(336) 386-8178			
Transylvania	Donald Reeves	(828) 884-3155			
Tyrell	Melissa Elks	(252) 946-4672			
Union	Shannon B. Sells	(704) 296-3245			
Wake	Donna Moye	(919) 792-5077			
Washington	Melissa Elks	(252) 946-4672			
Wayne	Sidney R. Hill	(919) 722-6223			
Wilson	Nicole Lamm	(252) 293-4773			

Feds try to Remove Stigma of Food Stamps

The Agriculture Department recently announced it will encourage grocery stores and other retail outlets accepting food stamps to post signs reading “We Welcome SNAP Benefits.” The move is part of an effort to decrease the stigma of using government food assistance in a tough economy.

Attempts to reduce such stigmas have been ongoing for years. SNAP, an acronym for the Supplemental Nutrition Assistance Program, is a recent name change designed to get away from the loaded phrase “food stamps.” Electronic Benefits Transfer, or EBT, is an electronic way of paying for items so it just appears that a customer is using a credit card.

The new signs are also meant to encourage a bit of economic stimulus. According to USDA, which oversees domestic food assistance, every \$5 in new SNAP benefits generates as much as \$9.20 in economic activity. Almost all benefits are redeemed within one month.

“Underscoring that SNAP benefits are welcome, rather than merely accepted, signals an important change in the way both retailers and program participants view these benefits,” said Agriculture Secretary Tom Vilsack.

Government food aid has grown in record levels over the last several years as the economic downturn has hurt families’ bottom lines. Estimated spending on all domestic food assistance programs has increased more

than 80% over the last three years, and the SNAP program served more than 6.6 million additional households between October 2006 and February 2010.

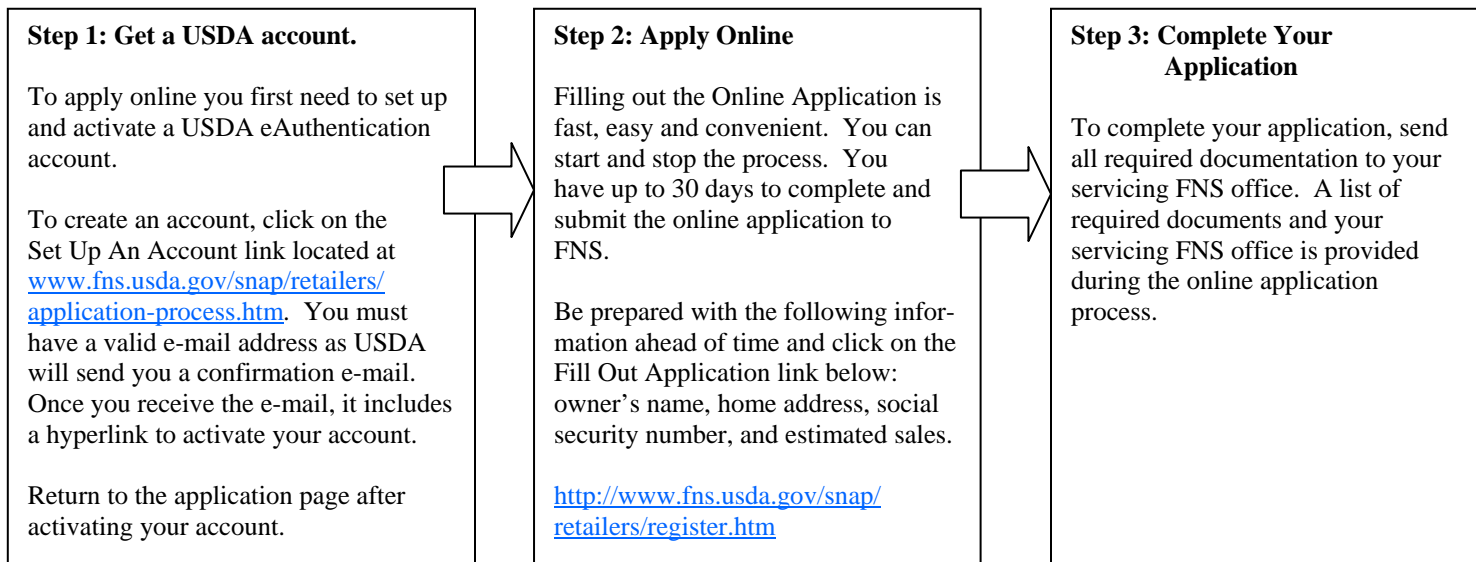


Kevin Concannon, USDA undersecretary for food, nutrition and consumer services, says his agency has seen some people – especially those who are recently unemployed – breaking down in tears as they registered for their benefits, never expecting they would have to receive government assistance.

Sign-Up to Become a SNAP retailer

Retailers can now apply online to become authorized to accept SNAP benefits. Applying is a simple 3-step process: get a USDA account, fill out an application online and mail supporting documentation to complete the file. If you do not have internet access or prefer a paper application, call USDA’s toll-free hotline: 1-877-823-4369

The Food and Nutrition Service (FNS) may take up to 45 days to process an application once it is complete. FNS reviews all applications for accuracy, conducts a background check for past SNAP history and evaluates your store for eligibility. FNS may visit your store to confirm eligibility. Store eligibility requirements can be found here: <http://www.fns.usda.gov/snap/retailers/store-eligibility.htm>. □



Produce Industry Responds to Pesticide, ADHD Link

Following is a statement released by the **Produce Marketing Association** in response to the study linking pesticides and Attention Deficit Hyperactivity Disorder in children ages 8 to 15:

The fresh produce industry is committed to food safety, and we welcome any learning we can draw from sound science. That said, this study and the reports about it should be put in their proper perspective. As you evaluate this news and work to help your customers to do the same, please keep in mind the following:

- **More study is needed on this subject.** We shouldn't change our habits based on one study alone, and certainly not based on an observational study, which by design does not definitely prove cause and effect. Rigorously-designed and more detailed research is needed to determine whether there is in fact a direct relationship between OP exposure and ADHD. In the interim, suggestions that consumers should avoid conventionally grown produce are unwarranted and unfounded, and misperceptions about that organic and/or locally-grown produce is pesticide-free. (Remember, PMA represents all fresh produce – conventional, organic and locally grown.)
- **Meanwhile, it is not in the best interest of public health to scare consumers away from eating fresh produce of any kind.** Fresh fruits and



vegetables are an essential part of a healthy, balanced diet, and we should be eating more of them, not less, for our better health. According to the US Dietary Guidelines for Americans – the federal government's best advice on diet and health – most Americans should be doubling their fruit and vegetable consumption to reduce their risk of chronic disease and to maintain a healthy weight. In fact, the single greatest health risk facing society today is obesity, and fresh produce is a power player in the fight against obesity.

- **US government and international health officials agree that the nutritional benefits of eating fruits and vegetables by far outweigh any risk posed by low levels of pesticide residues.** The mere presence of a pesticide residue does not mean that a food poses a health risk. Generally, if a residue can be found on produce, it occurs at such low levels that toxicologists estimate a person would have to eat 10,000 servings (or 100 eight-pound boxes of fresh fruits and vegetables) at one meal to ingest enough pesticide residues to cause any measurable reaction. There is no reputable proof that eating these foods poses a health risk; on the other hand, there is substantial

evidence documenting the health benefits of eating more fruits and vegetables. OPs specifically were extensively reviewed by EPA in the last decade, resulting in significant reductions in use and increasing confidence that they don't pose a health risk to children and other consumers.

- **The men and women who grow the produce you sell are 100 percent committed to providing safe and healthy foods, every bite, every time.** Fruit and vegetable growers and their families are often the first to eat the foods they sell, and they recognize that their livelihoods depend on the confidence of the consumers who purchase their wares to feed their own families. Their business models are founded with the faces of all of the families they feed in mind. Our industry is constantly evaluating our practices with an eye toward continual improvement and produce safety, and our industry welcomes risk-based, science-based input and discussion.

Should consumers express concern regarding this study and media reports about it, you may wish to inform them that the Food and Drug Administration advises that washing whole produce items – conventionally grown, locally grown and organic – before eating them is a healthful habit. Pesticide residues that might be present can often be reduced or eliminated by rinsing these foods with cold or lukewarm tap water. □

Bad Check Demand Letter

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G.S. 6-21.3 clarifies the civil remedy for returned checks effective December 1, 1995. As written in the statute, the demand letter must be sent by certified mail and must contain the following language.

Date _____

Dear _____:

On _____ (Date)_____, we informed you that we received a check payable to this business containing your name and address in the sum of \$____, drawn upon _____(bank or institution)_____, account # _____ . This check contained identification _____ information, which was used to identify you as the maker of the check. Also, we have received no _____ information that this was a stolen check, if that is the circumstance.

The check has been dishonored by the bank for the following reasons: _____.

We notified you that you were responsible for the face value of the check (\$ _____) plus the fees authorized under G.S. 25-3-506 (\$____) and G.S. 6-21.3(a) (\$____), for a total amount due of \$_____. Thirty days have passed since the mailing of that notification letter, and you have not made payment to us for that total now due.

Under G.S. 6-21.3, we claim you are now liable for the face value of the check, the fees, and treble damages. The damages we claim are three times the amount of the check or one hundred (\$100.00), whichever is greater, but cannot exceed five hundred dollars (\$500.00). The total amount we claim now due is:

Face value of the check # _____	\$ _____	
Processing fee authorized under G.S. 25-3-506		\$ _____
Bank service fees authorized under G.S. 6-21.3		\$ _____
Three times the face value of the check,		
with a minimum of \$100.00 and a maximum of		
\$500.00	\$ _____	

Total amount due: \$ _____

Payment of the total amount claimed above within 30 days of the mailing of this letter shall satisfy this civil remedy for the returned check. If payment has not been returned within this 30 day period, we will seek appropriate relief before a court of proper jurisdiction for full payment of the check plus all costs, treble damages, and witness fees.

If you do not believe you are liable for these amounts, you will have right to present your defense in court. To pay the check or obtain information, contact the undersigned at the above business location. Cash or a bank official check will be the only acceptable means of redeeming the dishonored check.

If you do not believe that you owe the amount claimed in this letter or if you believe you have received this letter in error, please notify the undersigned at the above business location as soon as possible.

Sincerely,

SC Adjourns

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The bill was needed to prevent the EPA from declaring South Carolina's federally-mandated underground fuel spill clean-up trust fund insolvent. The bill was backed by CFIC and other retail groups.

The law increases the annual renewal fee for underground storage tanks to \$200 beginning January 1, 2012 and requires that the fee continue to increase by \$100 each year through 2015. If the fund reaches a balance of \$36 million by way of fees or other funding (i.e. state or federal appropriations), the annual renewal fee would revert to \$100 on January 1 of the next year. Full bill text: <http://tinyurl.com/36zdw5>.

□



MESSAGE ON HOLD

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Pesticides Linked to ADHD, American Academy of Pediatrics Reports

A new study suggests that exposure to high levels of organophosphate pesticides, commonly used on fruits and vegetables, can lead to a higher rate of attention-deficit hyperactivity disorder (ADHD) in children.



The **American Academy of Pediatrics** study released in May 2010 analyzed the levels of **pesticide residue in the urine** of 1,100 children ages 8 to 15. Children with the highest levels of pesticides had the highest incidence of ADHD, which affects about 4.5 million children in the United States, according to the **Centers for Disease Control and Prevention (CDC)**. Even children who had any detectable levels of pesticide residue in their urine were **twice as likely to develop ADHD** as those with undetectable levels.

Although the study did not determine where the pesticide exposure originated, experts from the **National Academy of Sciences** noted that children are most likely to ingest chemicals through their diet. And **organophosphate pesticides** are found in a variety of produce, including **frozen blueberries, strawberries and celery**.

“Organophosphates are one of the most widely used pesticides in agriculture to protect crops and fruits and vegetables,” said Maryse Boucher of the University of Montreal, who lead the study in conjunction with researchers from Harvard University. “For children, the **major source of exposure would be the diet** – fruits and vegetables in particular.”

However, Bouchard was clear that the results of her study were merely associative, and did not indicate a direct casual link between pesticide exposure and ADHD. Bouchard also emphasized the **importance of fruits and vegetables in children's diets**. Instead, she affirmed the study's focus was on an unhealthy exposure to pesticides, and in fact raises the possibility of setting a national threshold for safe levels of exposure.

A 2008 Emory University study found that **children who switched to organically grown fruits and vegetables**, urine levels of pesticide compounds **dropped to undetectable or close to undetectable levels**. To read the whole study: <http://pediatrics.aappublications.org/cgi/reprint/peds.2009-3058v1> □

Who is FBI?
We're Your Neighbor
We know workers compensation
We know North Carolina



First Benefits Insurance Company (FBI) is a mutual insurance company providing workers compensation coverage for North Carolina employers. FBI is an association-based workers compensation program. The North Carolina Retail Merchants Association is a participating organization. NCRMA has endorsed FBI as a member benefit based on our commitment to small and medium-sized businesses.

First Benefits Insurance is based in Raleigh with all operations handled locally. FBI combines sound underwriting with aggressive claims management performed by an experienced staff. We understand your concerns as North Carolina business owners. We have a monthly self-reporting payment option that allows businesses subject to fluctuations due to seasons, tourism or a change in the economy to pay based on actual payroll rather than annual estimated payroll.

Call your local insurance agent or call us directly @ 888-393-2667 for a quick, competitive quote.