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GENE INGLESBY, WPMA CEO, APPOINTED TO PMOCO MANAGEMENT COMMITTEE

At the regularly scheduled meeting of the PMAA Executive Committee on Thursday, April 21, 2016, Gene Inglesby was appointed to serve on the Petroleum Marketers Oil Company, LLC (PMOCO) Management Committee, which oversees the Spirit® petroleum brand. Inglesby will serve the three-year term effective immediately. Inglesby is the CEO of the Western Petroleum Marketers Association (WPMA), a seven-state trade organization for petroleum marketers and retailers located in Taylorsville, Utah.

As the head of the WPMA, Inglesby is responsible for the overall administration of the association and the operation of the headquarters and all field activities, including the annual WPMA EXPO held in Las Vegas. He also oversees antitrust policy compliance; coordinates relations with each WPMA state association and its board of directors; and represents the association at many federal and state legislative and regulatory hearings and meetings, as well as WPMA state and other association conventions and meetings.

A graduate of Utah State University, Inglesby earned a degree in finance and minored in economics. After having worked locally for several companies, he joined WPMA in 1995, first serving as Regulatory Affairs Director, and subsequently holding the positions of Deputy Director and Assistant Executive Director. In 2005, he was chosen to serve as Executive Director, a title that was recently changed to CEO to reflect his duties more fully.

"I think there is great growth potential with the Spirit® brand," Inglesby commented, "and I feel privileged to have been asked to help with this task."

Management Committee chairman Bill Herdrich said, "We welcome Gene and applaud his willingness to give his time towards the success of this great endeavor."

Spirit® is a nationally recognized petroleum brand managed by marketers and owned by the non-profit Petroleum Marketers Association of America (PMAA). Spirit® is committed to redefining independence for the American petroleum marketer. Spirit®'s minimal requirements, affordable fees and flexible business solutions give businesses of all sizes the control they need to compete aggressively in today's tough environment. Spirit® offers a sophisticated, patriotic brand image that inspires loyalty and confidence in consumers nationwide. For more information, [visit](http://www.spiritpetroleum.com/) <http://www.spiritpetroleum.com/> or call 215.345.4119.

TRANSCANADA CLASHES WITH OBAMA ADMINISTRATION OVER KEYSTONE BORDER PERMIT

The fight over the Keystone XL pipeline continues, despite President Obama's veto last year to build it. In a federal court earlier this week, TransCanada, the company behind the pipeline, claimed the Obama administration had no right to deny a border-crossing permit for the pipeline. The Obama administration has defended its use of such power to deny the permit because they claim the decision is within the power of the President's executive authority.

In January, TransCanada sued the U.S. government over its rejection of the pipeline. It filed a lawsuit in U.S. federal court arguing President Obama's rejection of the pipeline exceeded his constitutional authority. TransCanada also filed legal action under the North American Free Trade Agreement (NAFTA) claiming denial of the pipeline permit was "arbitrary and unjustified." In filing the NAFTA claim, TransCanada said it had "every reason to expect its application would be granted" because it met the same criteria the U.S. State Department used when approving other similar cross-border pipelines. The company was seeking \$15 billion as part of its claim.

PMAA was disappointed with President Obama's decision to veto the Keystone legislation but continues to aggressively fight for its passage and construction. The pipeline has wide ranging support and several environmental impact studies have shown that the pipeline would have no effect on climate change.

MENU LABELING RULE FINALIZED WITHOUT ADDRESSING RETAILER CONCERNS

A final rule on menu labeling regulations was released April 29. Unfortunately, the final rule basically mirrored the 2014 proposed rule in which none of the changes that were recommended by retailers were made in the final rule that would require convenience stores, restaurants, pizza chains and movie theaters with more than 20 locations to label their menus with calorie information.

The Food and Drug Administration (FDA) has a May 2017 compliance date for the new regulations that were originally passed as part of Obamacare in 2010.

At this point a legislative fix is what is required to address the onerous portions of the new rule. Legislation that has passed

the House via a 266-144 bipartisan vote, known as the “Common Sense Nutrition Disclosure Act,” would give retailers the flexibility they need to comply with the menu labeling regulations. The bill would modify the menu-labeling language to permit retailers to identify a single primary menu while not having to include nutrition labeling in other areas of the store. Furthermore, the bill clarifies that advertisements and posters do not need to be labeled and provides flexibility in disclosing the caloric content for variable menu items that come in different flavors or varieties, and for combination meals. Lastly, the bill would ensure that retailers acting in good faith are not penalized for inadvertent errors in complying with the rule, and stipulates that individual store locations are not required to have an employee “certify” that the establishment has taken reasonable steps to comply with the requirements.

Companion legislation (S. 2217) introduced by Senators Blunt (R-MO) and King (I-ME) has yet to reach the Senate floor for consideration. Furthermore, the House Appropriations Committee recently approved its fiscal year 2017 Agriculture funding bill with a provision that would delay implementation of the rule for one year.

PMAA will continue to push for the legislative corrections and has included an issue brief for PMAA’s May 19th “Day on the Hill”.

URGE YOUR MEMBERS OF CONGRESS TO SIGN ON TO LETTER OPPOSING SNAP RULE

House Agriculture Committee Chairman Michael Conaway (R-TX) and Ranking Member Collin Peterson (D-MN) have penned a letter to U.S. Secretary of Agriculture Tom Vilsack and Under Secretary for Food, Nutrition and Consumer Services Kevin Concannon expressing concerns with the proposed Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP) rule. The letter highlights the negative impacts some of the provisions in the proposed rule would have on retailers as well as lower income families.

By law, the rule, once finalized, will require retailers to meet these conditions in order to participate in the Supplemental Nutrition Assistance Program (SNAP). Retailers must offer for sale on a continuous basis a variety of at least seven foods in each of the four categories (1. dairy products; 2. meat, poultry, or fish; 3. fruits or vegetables; 4. bread or cereals) (Current law requires only three items in each category). It also requires SNAP retailers to stock at least one “perishable” food item in at least three of the four staple food categories. (Current law requires perishable items in only two of the staple food categories).

Unfortunately, USDA also exceeded the intent of Congress and added these unnecessary requirements in the proposed rule: “multiple ingredient” items (cold pizza) would not be counted in any staple food category and would not go toward meeting a retailer’s “depth of stock” requirements. Currently, multiple ingredient foods can be counted under the category of the main ingredient. In addition, the proposal would require that retailers always have six different units of any food item that are in the store and are counted under the four categories of eligibility for SNAP participation. This means that retailers who are currently required to stock 28 items on a continuous basis would have to stock 168 units of single-ingredient food items at all times in order to participate in the program.

PMAA asks that you reach out to your members of Congress to express your concerns regarding the proposed rule and request that the member sign on to the Conaway / Peterson letter. Your member can sign on to the letter by contacting either [Jadi Chapman](mailto:jadi.chapman@mail.house.gov) (jadi.chapman@mail.house.gov) with Chairman Conaway’s office or [Lisa Shelton](mailto:lisa.shelton@mail.house.gov) (lisa.shelton@mail.house.gov) with Ranking Member Peterson’s office.

In addition, PMAA urges you to submit your own comments on the proposed rule. Comments are due May 18th. PMAA encourages you to use this [template](http://web.pmaa.org/weeklyreview/attachments/SNAP_Template050616.docx) (http://web.pmaa.org/weeklyreview/attachments/SNAP_Template050616.docx) (which is a WORD file that can be personally edited) and then go to this [link](https://www.regulations.gov/#!submitComment;D=FNS-2016-0018-0099) (<https://www.regulations.gov/#!submitComment;D=FNS-2016-0018-0099>) to comment.

2017 WPMAEXPO - LAS VEGAS, NEVADA



Mark your calendars for February 21-23, 2017. Make plans now to attend the 2017 WPMAEXPO. It will be held once again at the Mirage in Las Vegas, Nevada.

MARK YOUR CALENDARS FOR UPCOMING EVENTS

May 19-20, 2016 – Nevada (NPM&CSA) Big Dogs Shootout – Red Rock Resort & Casino – Las Vegas, Nevada

June 7-9, 2016 – Montana (MPMCSA) Convention – Fairmont Hot Springs Resort – Butte, Montana

June 20-23, 2016 - Washington (WOMA) Convention - Suncadia Resort - Cle Elum, Washington

June 23, 2016 – Utah (UPMRA) Summer Golf Classic – Mountain Dell Golf Course, Salt Lake City, Utah

June 29, 2016 – Idaho (IPM&CSA) Magic Valley PAC Golf Outing – Blue Lakes Country Club, Twin Falls, Idaho

August 3, 2016 – Idaho (IPM&CSA) Circling Raven GC PAC Golf Outing - Coeur d’Alene, Idaho

August 3 – 5, 2016 - Idaho (IPM&CSA) Convention - Coeur d’Alene Resort - Coeur d’Alene, Idaho

August 22-24, 2016 – New Mexico (NMPMA) Convention – Sandia Resort & Casino – Albuquerque, New Mexico
August 26, 2016 – Hawaii (HPMA) Golf Tournament – Honolulu Country Club – Honolulu, Hawaii
September 8, 2016 – Idaho (IPM&CSA) Teton Valley PAC Golf Outing – Huntsman Springs GC, Driggs, Idaho
September 14-16, 2016 - Utah (UPMRA) Convention - DoubleTree Hotel by Hilton - Park City, Utah
February 21 – 23, 2017 - WPMA Convention & Expo – Mirage Hotel, Las Vegas, Nevada
June 18-22, 2017 – Washington (WOMA) Convention – Suncadia Resort – Cle Elum, Washington
August 2-4, 2017 - Idaho (IPM&CSA) Convention – Sun Valley Resort, Sun Valley, Idaho
June 17-21, 2018 – Washington (WOMA) Convention – Suncadia Resort – Cle Elum, Washington
August 8-10, 2018 - Idaho (IPM&CSA) Convention - Coeur d'Alene Resort - Coeur d'Alene, Idaho

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Petro Pete: “The human body can survive three weeks without food, three days without water, but only three hours without wifi.”

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