

**Notice of Critical Status
For
United Food and Commercial Workers Unions and Employers Pension Plan**

This is to inform you that on January 27, 2012 the Plan Actuary certified to the U.S. Department of the Treasury and to the Plan Sponsor that the Plan is in critical status for the plan year beginning November 1, 2011. Federal law requires that you receive this notice. In the future you will continue to receive annual updates of this status and the progress the Plan is making towards the goals described below.

Critical Status

The Plan is still considered to be in critical status because it is projected to satisfy the following:

Projected accumulated funding deficiency within the current or next 9 plan years

The Plan's actuary projects that, if no further action is taken, the Plan will have an accumulated funding deficiency for the plan year ending October 31, 2017. Note, "accumulated funding deficiency" means that contributions would be insufficient to satisfy Federal requirements; it does not mean that the Fund would become bankrupt or run out of money.

As required by law, the Plan Actuary's certification includes only contribution rate increases that have been codified in collective bargaining or participation agreements.

Rehabilitation Plan and Possibility of Reduction in Benefits

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the Plan. A rehabilitation plan may involve reductions to future benefit accruals, increases to contribution rates, or both. The law also permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. The Plan offers the following adjustable benefits which may be reduced or eliminated (for participants not yet in pay status) as part of any rehabilitation plan the Pension Plan may adopt:

- 60-month payment guarantees;
- Disability benefits;
- Early retirement benefits or subsidies;

You should have already received a notice in December of 2010 that explained the benefit changes tied to each Schedule of the rehabilitation plan adopted by the Trustees. Regardless of the Schedule chosen by the bargaining parties, the reductions only apply to participants and beneficiaries whose benefit commencement date is on or after February 26, 2010.

Additional Restriction Due to Critical Status

Effective as of February 26, 2010, the Plan is not permitted to pay any lump sum benefits (or any other payment in excess of the monthly amount paid under a single life annuity) while it is in critical status.

Future Experience and Possible Adjustments

The rehabilitation plan is based on a number of assumptions about future experience and may need to be adjusted in the future if such assumptions are not met. Additional contribution rate increases and/or reductions in the rate at which benefits are earned may be needed if the Fund were to suffer asset returns below the expected 7.50% (in the 2011-12 plan year or later), a drop in the hours worked, or poor experience from other sources. If, at some point in time, the Trustees determine that further adjustments are necessary, you will receive a separate notice identifying and explaining the effect of those changes.

Employer Surcharge

The law requires that all contributing employers pay to the Plan a surcharge beginning on March 28, 2010 to help correct the Plan's financial situation. The amount of the surcharge is equal to a percentage of the amount an employer is otherwise required to contribute to the Plan under the applicable collective bargaining agreement. With some exceptions, a 5% surcharge is applicable in the initial critical year (through October 31, 2010) and a 10% surcharge is applicable for each succeeding plan year thereafter in which the Plan is in critical status.

The surcharges continue until the bargaining parties formally approve a rehabilitation plan. They will even continue if the Default Schedule has been imposed. The Trustees of the Plan adopted a rehabilitation plan on May 19, 2010 and it was submitted to the bargaining parties.

Where to Get More Information

You have a right to receive a copy of the rehabilitation plan. To receive a copy, you may contact the Pension Plan Office at (414) 476-4276 or toll free (800) 476-4237 or by mail at 2100 North Mayfair Road, Suite 100, Milwaukee, WI 53226.