March 16, 2020

STATE OF MICHIGAN ORDERS ALL BARS AND RESTAURANTS CLOSED AS OF 3 PM TODAY
WHAT DOES IT MEAN FOR CONVENIENCE STORES?

Governor Whitmer issued an Executive Order closing not just bars and restaurants but all cafes, coffee houses, clubs, movie theaters, gyms, fitness centers, casinos among other things. Restaurants can still offer food and beverage through delivery, drive through or walk-up. **The restrictions do not apply to convenience stores that do not offer on-premise consumption. If a convenience store offers on-premise consumption that part of your business must be stopped.**

The part of the order related to Convenience Stores is below:
2. The restrictions imposed by this order do not apply to any of the following:
(a) Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements of section 1;

The full executive order can be found at: https://content.govdelivery.com/attachments/MIEOG/2020/03/16/file_attachments/1401753/EO%202020-9.pdf

GOVERNOR ISSUES EXECUTIVE ORDER ON PRICE GOUGING

MPA/MACS members are reminded to be cautious during this unprecedented time for your business. Gas stations and convenience stores are important businesses that serve an important role in our economy especially during a crisis.

Michigan Governor Gretchen Whitmer issued an executive order related to enhanced restrictions to price gouging. The order takes effect beginning March 16, 2020 at 9:00 am and continuing until April 13, 2020 at 11:59 pm. The full order is below:

- If a person has acquired any product from a retailer, the person must not resell that product in this state at a price that is grossly in excess of the purchase price at which the person acquired the product.
- A person must not offer for sale or sell any product in this state at a price that is more than 20% higher than what the person offered or charged for that product as of March 9, 2020, unless the person demonstrates that the price increase is attributable to an increase in the cost of bringing the product to market.
- For purposes of this order: “Person” means an individual, business, or other legal entity. “Product” means any good, material, emergency supply, or consumer food item.
- This order does not limit or impair the ability of the attorney general to investigate, determine, or impose liability under the Michigan consumer protection act, 1976 PA 331, as amended, MCL 445.901-.922, or any other law of this state.
- Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor.

Members are advised to keep all bill of ladings and any other pertinent paperwork to show what price you paid for gasoline/diesel and all products. This is obviously a much different type of crisis but our industry has come under scrutiny before and may again.

MPA/MACS ADDS CORONAVIRUS RESOURCES TO WEBSITE

MPA/MACS has added some Coronavirus Resources to our website. Use the link at www.mpamacs.org under “Latest News.” We will update with other important information as it becomes available.