

COMMUNITY



REWARDS



So. CA, NV, IL, IN, F4L Stores only

TERMS AND CONDITIONS



Must be signed and returned with enrollment form.

Effective Dates of the Community Rewards Program: The Community Rewards Program ('Program') will commence and become effective September 1, 2011, or the date the application is processed, which ever is later and will terminate August 31, 2012 (the 'Term') and may be extended at the discretion of Food 4 Less and/or Foods Co ('F4L').

Program Terms and Conditions: Subject to the terms and conditions hereof, F4L will contribute to eligible Organizations (as defined below) an amount that is equal to a portion of the total Eligible Purchases (as defined below) made by the Eligible Participants (as defined below).

Eligible Organizations: Eligible Organizations are qualified 501(c) 3 Non-Profit Organizations located in California, Nevada, Indiana and Illinois and who have submitted an application form, have agreed to all Terms & Conditions and received confirmation from F4L.

Eligible Participants: Eligible Participants shall be Food 4 Less or Foods Co Rewards Card holders who are 18 years of age or older and who are legal residents of the city or state in which the Eligible Organization is located and who have registered themselves as a participant of an Eligible Organization. These are only members, family and friends of Eligible Organizations.

Eligible Purchases: Eligible Purchases shall consist of those retail purchases made at any Food 4 Less (Southern California, Nevada, Indiana and Illinois) or Foods Co store by an Eligible Participant who presents a Food 4 Less and/or Foods Co Rewards Card at the time of purchase. If the card is not presented during a transaction, your organization's account will not be credited. Purchases made prior to participant effective enrollment date are not eligible. Purchases of alcohol, tobacco, pharmacy, postage stamps, gift cards, gift certificates, lottery and promotional tickets, fluid milk and milk products, fuel CRV and Sales Tax are excluded from eligible purchases.

Other Program Conditions:

- a) Eligible Organizations and Eligible Participants shall be solely responsible for the accuracy of all names submitted as Eligible Participants. Eligible Organizations shall agree to indemnify and hold F4L harmless in connection with their identification or improper identification of any person.
- b) Solicitation to the General Population is prohibited and is grounds for exclusion from the Community Rewards Program. Only member, family and friends are eligible to participate in your organization.
- c) Eligible Organizations are prohibited from soliciting in front of or inside any Food 4 Less or Food Co Store or public event.
- d) This is a stand-alone rebate program and any attempt by an organization to combine this program with any other Kroger affiliated rebate or discount program could result in exclusion from the Community Rewards Program.
- e) All proceeds derived from the Community Rewards Program must be used for charitable purposes within the communities Food 4 Less or Foods Co serves and cannot be used for political, legal or administrative purposes. F4L has the discretion and right to terminate any Organization from the Program at any time if it is determined that any of the proceeds are used for political, legal or administrative purposes.
- f) No person is required to make payment of any kind in order to be issued a Community Rewards Card.
- g) If a participant is issued a replacement Card, it is the responsibility of the participant to register the new Card in the Community Rewards Program.

Payment Conditions:

- a) Total Eligible purchases made by the Eligible Organization's Eligible Participants will be calculated at the end of each three-month period during the Term. Purchase amounts by Eligible Participants during any one three-month period shall not count towards amounts purchased in any subsequent three-month period.
- b) Rebates will be paid and mailed only to the Organization identified on the Program Enrollment Application via check or in some cases will be personally delivered to your organization by your neighborhood Food 4 Less or Foods Co Store Director within one month of the closed of each quarter. Rebates are paid quarterly in December, March, June, September, based on the following quarters: 1) September through November 2) December through February 3) March through May 4) June through August.
- c) Minimum quarterly rebate payout is \$25 per Organization. In the event that an organization earns less than \$25 in a quarter, Food 4 Less or Foods Co will hold the amount until the next quarter that the rebate exceeds \$25 or the end of the program Term, whichever come first.
- d) The amount of the rebate to be paid to an Eligible Organization at the end of each three-month period shall be determined in accordance with the following scale:

Up to \$500 per month of eligible purchases	4%
Over \$500 per month of eligible purchases	5% of amount over \$500
- e) Food 4 Less combined with Foods Co limits their quarterly contributions to a maximum of \$200,000 to be distributed among all participating eligible organizations, and \$150 per individual Rewards Card. In the event that total earned contributions exceed the maximum contribution limit, Food 4 Less/Foods Co will prorate and reduce the contributions based on the total contributions earned by all participating organizations and their members.

Food 4 Less/Foods Co reserves the right to evaluate the Program during the Term and to unilaterally modify the Program at any time and without any advanced notice to the Organization. When possible, the Organization will be given ten (10) days advance written notice of any changes to the Program. The Organization may elect to terminate its participation in the Program at any time. F4L may elect to terminate the Program at any time. The Program is void where prohibited or restricted by law.

I have read and understand the terms and conditions of the Community Rewards program and agree to comply with and to be bound by said terms and conditions.

Name of Organization

Authorized Representative

Date:

Food 4 Less/Foods Co / Gift Services Department, P.O. Box 54143, Los Angeles, CA 90054
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Visit us on the web: www.food4less.com or www.foodsco.net