

★★SUMMARY OF MATERIAL MODIFICATIONS ★★

January 2013

To All Employees and Dependents:

This Summary of Material Modifications is an amendment to your Summary Plan Description (SPD) booklet to formalize language incorporating recent Trustee actions regarding your Plan. These changes will be incorporated into a new Summary Plan Description that we are in the process of preparing.

We sent you a notice in May 2008 regarding the waiver of the deductible on certain health promotion/preventive care procedures. It stated that the deductible would be waived on the following procedures: mammogram, pap smear and pelvic exam, PSA test, and colonoscopy. In order to be eligible for your deductible to be waived on these procedures, you were required to participate in the Blue Cross Blue Shield Health Assessment and Online Coaching Program. Each year you participated, you were eligible for your deductible to be waived in the following year.

Effective January 1, 2013, the Health Assessment Program has been eliminated and, therefore, your deductible no longer will be waived for these health promotion/preventive care procedures.

Please keep this Summary of Material Modifications with your SPD booklet for future reference. If you have any questions, feel free to contact the Fund Office.

Yours very truly,

THE BOARD OF TRUSTEES

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GRANDFATHERED STATUS UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT

The Trustees believe this Plan is a "grandfathered health plan" under the Patient Protection and Affordable Care Act (the "Affordable Care Act"). As permitted by the Affordable Care Act, a grandfathered health plan can preserve certain basic health coverage that already was in effect when that law was enacted. Being a grandfathered health plan means that your Plan is not required to include certain consumer protections of the Affordable Care Act that apply to other plans, for example, the requirement for the provision of preventive health services without any cost sharing. However, grandfathered health plans must comply with certain other consumer protections in the Affordable Care Act, for example, the elimination of lifetime limits on benefits.

Questions regarding which protections apply and which protections do not apply to a grandfathered health plan and what might cause a plan to change from grandfathered health plan status can be directed to the Plan Administrator at: United Food and Commercial Workers Union Local 1189 and St. Paul Food Employers Health Care Plan, 3001 Metro Drive, Suite 500, Bloomington, MN 54425, (952) 854-0795 or 1-800-535-6373. You also may contact the Employee Benefits Security Administration, U.S. Department of Labor at: 1-866-444-3272 or www.dol.gov/ebsa/healthreform. This website has a table summarizing which protections do and do not apply to grandfathered health plans.