

**NOTICE OF CRITICAL STATUS FOR 2011 FOR THE
BAKERY DRIVERS LOCAL 802 PENSION FUND**

This is to inform you that on March 31, 2011 the actuary for the Bakery Drivers Local 802 Pension Fund certified to the U.S. Department of the Treasury, and also to the Board of Trustees of the Fund, that the Fund is in critical status for its year beginning January 1, 2011. Federal law requires that you receive this notice.

Critical Status: The Pension Fund is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, the Fund's actuary determined that the sum of the plan's normal cost and interest on the unfunded benefits for the current plan year exceeds the present value of all expected contributions for the year; the present value of vested benefits of inactive participants is greater than the present value of vested benefits of active participants; and the plan is projected to have an accumulated funding deficiency as of December 31, 2011.

Rehabilitation Plan: Federal law requires each pension fund in critical status to adopt a Rehabilitation Plan aimed at restoring its financial health. As a result, a Rehabilitation Plan was adopted on November 25, 2008, and subsequently amended. You have the right to receive a copy of the Rehabilitation Plan upon written request. The law permits a pension fund in critical status to reduce, or even eliminate, benefits called "adjustable benefits" as part of a Rehabilitation Plan. You were notified on April 11, 2008 that as of that date the Fund is not permitted to pay 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. If the trustees of the Bakery Drivers Local 802 Pension Fund determine that further benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions, if you have not already received such a notice. Any reduction of adjustable benefits will not reduce the level of a participant's basic benefit already earned payable at normal retirement. In addition, the reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after April 11, 2008 (the date you were first notified that the Fund was in Critical Status).

Adjustable Benefits: The Fund offers the following adjustable benefits which may be reduced or eliminated, if not in pay status as of April 11, 2008, as part of any Rehabilitation Plan the Fund may adopt: post-retirement death benefits, thirty-six month payment guarantees, disability benefits, retirement-type subsidies and subsidized early retirement benefits.

Employer Surcharge: The law requires that all contributing employers who have not yet adopted the Rehabilitation Plan pay to the Fund a surcharge to help correct the Fund'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 Fund under the applicable collective bargaining agreement. The monthly surcharge is 10%. The employer will continue to pay the monthly surcharge while the Fund is in critical status and until a collective bargaining agreement is negotiated for the employer that is consistent with the Rehabilitation Plan.

Where to Get More Information: For more information about this Notice, you may contact:

Board of Trustees
Bakery Drivers Local 802 Pension Fund
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Baldwin, New York 11510
Telephone: 516-378-2011