



DEFENSE COMMISSARY AGENCY
HEADQUARTERS
1300 E AVENUE
FORT LEE, VIRGINIA 23801-1800

IN REPLY
REFER TO

GC

August 7, 2015

NOTICE TO THE TRADE – DeCA NOTICE 15-92

SUBJECT: Vendor Stocker Accountability in Europe

This Notice to the Trade is to formally notify Industry of significant changes in vendor stocker accountability requirements in Germany.

Drastic changes to what German officials expect when reviewing vendor stocker information has caused DeCA Europe to issue additional guidance, Attachment 1, to the stores in Germany in order to maintain sufficient records of accountability regarding the vendor stocker workforce. This information is designed to protect DeCA and store management by maintaining accurate and up to date information provided by vendor representatives about their vendor stockers so that German authorities may ensure compliance with applicable German law regarding taxes and social security payments by vendor stockers. German officials have the right to inspect this information at random. If the German Government performs an external audit and inaccurate or unclear information is found, the German authorities may incorrectly presume that the vendor stockers are DeCA employees. The legal ramifications of the German officials mischaracterizing vendor stockers will be legally detrimental to the agency and can include criminal charges against individual DeCA managers.

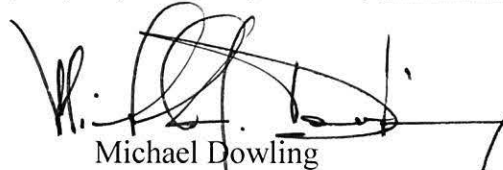
Therefore, unless individual vendor stockers provide the required Certifying Document, properly certified by a representative of the company the vendor stocker represents, they will be denied access to the commissary for which they provide vendor stocker services after December 31, 2015, and will not be allowed to vendor stock after that date.

At this time, the German authorities have approved only one Certifying Document for use in providing the required information, Attachment 2. Vendor stockers need to execute an approved form by November 30, 2015 for administrative review to ensure full compliance by the December 31, 2015.

In the event that company representatives fail to provide vendor stocker services to stock product in the commissaries, DeCA will have government employees stock the product. However, in that event, unless arrangements for the continuation of compliant vendor stocker services are made within three months of the date such services cease; or unless vendors make a voluntary payment to offset the DeCA's cost of stocking, DeCA will consider deleting those items from the authorized stockage list.

It is expected that these or similar requirements will be imposed by other European countries with regard to those providing vendor stocking services for stores in those countries. Industry and their representatives should begin planning for that contingency in the event those countries implement similar schemes.

If there are any questions or concerns about this Notice to the Trade, please contact William E. Sherman, General Counsel, at (804)734-8000, x48116, william.sherman@deca.mil.



Michael Dowling
Deputy Director and
Chief Operating Officer

Attachments:

As stated



IN REPLY
REFER TO

DEFENSE COMMISSARY AGENCY
STORE OPERATIONS – EUROPE AREA
UNIT 3060
APO AE 09021

SO/LKAD

August 7, 2015

MEMORANDUM FOR: Zone Managers, Store Directors, Store Administrators

SUBJECT: Vendor Stocker Accountability

Drastic changes to what German officials expect when reviewing vendor stocker information has caused DeCA Europe to issue this additional guidance to the stores in Germany in order to maintain sufficient records of accountability regarding the vendor stocker workforce. Attached you will find the newly created Vendor Stocker Accountability Roster files which all stores are required to maintain. These files are designed to protect DeCA and store management by maintaining accurate and up to date information provided by vendor representatives about their vendor stockers. Creation of these files at your store is a high priority and accuracy is essential. The German officials have the right to inspect these files at random.

The purpose of maintaining Vendor Stocker Accountability files at the stores is to ensure that DeCA has accurate and complete information concerning the vendor stocker workforce. DeCA requires that vendor stockers certify a variety of information concerning the entity they represent. At this time the German authorities have only provided and will accept the attached Certifying Document. It is essential that store management maintain a copy of the signed certifying forms at each store for each vendor stocker. If the German Government performs an external audit and inaccurate or unclear information is found, the German authorities may incorrectly presume that the vendor stockers are DeCA employees. The legal ramifications of the German officials mis-characterizing vendor stockers will be time consuming on stores and could be legally detrimental to the agency.

Attached are the following documents:


- Vendor Stocker Requirements Memorandum
- Standard Operating Procedures (SOP) for Certifying Vendor Stockers
- Certifying Document
(Certifying document provided by the stocker will be scanned e-mailed to an e-mail address which will be published under a separate cover letter)
- Standard Operating Procedures (SOP) for Internal Vendor Stocker Accountability Roster
- Vendor Stocker Accountability Roster
(The Internal Vendor Stocker Accountability Roster, with all tabs is an internal control document which can be digitally signed or hand signed by the Store Director or Store Administrator, scanned and then e-mailed on the 20th of each month to an e-mail address which will be published under a separate cover letter).

Attachment 1

- Vendor/Contractor Stocker Information Sheet (DeCA Form 40-143)
(Will be placed in the individual vendor stocker folder)
- Request For Vendor/Contractor Stocking Approval (DeCA Form 40-145)
(Will be placed in the individual vendor stocker folder if applicable)
- Vendor/Contractor Stocker Statement Of Understanding (DeCA Form 40-151)
(Will be placed in the individual vendor stocker folder)
- Notification of Access Revocation Memo
(Will be scanned and e-mailed to an e-mail address which will be published under a separate cover letter needed)
- Vendor Stocker Folder format

The suspense for full implementation of the Vendor Stocker Accountability documents is COB on November 30, 2015, with the Certifying Documents and the signed Vendor Stocker Accountability Roster Document with all tabs, e-mailed to Lily Eskanos (lily.eskanos@deca.mil) and Jutta Helfrich (jutta.helfrich.de@deca.mil). The Certifying Document, after being sent will be placed in the individual vendor stocker's folder.

Any vendor stocker who has not complied with the above requirements **will not be allowed** to vendor stock after December 31, 2015. No exceptions or extensions to this date are authorized, without the express approval of Headquarters, DeCA!


Michael G. Yaksich
Deputy Area Director

Attachments Deleted

Anmeldeerklärung für den Zugang zur Commissary in _____
Registration form in order to enter the Commissary at

Name: _____
last name:

Vorname: _____
first name:

Geburtsdatum: _____
date of birth:

Staatsangehörigkeit: _____
citizenship:

Straße;Nr: _____
street, no:
Postleitzahl: _____
zip- code:
Ort: _____
city:

Tätigkeitsbeginn: _____
start of employment:

Tätigkeitsort: _____
Place of employment:

Arbeitgeber: _____
Employer:

Betriebsnummer: _____
company number:

Versicherungsnummer: _____
insurance number:

Krankenversicherung: _____
health insurance company:

- Die bzw. der zuvor Genannte wird zur deutschen Sozialversicherung angemeldet.
The above-mentioned person is (will be) registered in the German social insurance system.
- Die bzw. der zuvor Genannte wird zur Arbeitslosenversicherung angemeldet.
The above-mentioned person is (will be) registered in the unemployment insurance system.

Hiermit wird bestätigt, dass wir als Buchhaltungsbüro/Steuerberatungsbüro:
Hereby we certify that we as bookkeeping office/tax consulting office

(Firmenstempel/Unterschrift)(stamp/signature)

die entsprechende Anmeldung vollziehen und auf Anforderung die Nachweise vorgelegt werden.
file the relevant registration for the employee and will be providing proofs thereof upon request.