

## **SUMMARY ANNUAL REPORT FOR TORCHY'S TACOS 401(K) PLAN**

This is a summary of the Form 5500 Annual Return/Report of Employee Benefit Plan for the TORCHY'S TACOS 401(K) PLAN, EIN 26-0483845, Plan 001, for period January 1, 2023 through December 31, 2023. The Form 5500 annual report has been filed with the Employee Benefits Security Administration, as required under the Employee Retirement Income Security Act of 1974 (ERISA). Your plan is a defined contribution, age/service weighted or new comparability, profit-sharing, ERISA section 404(c), total participant-directed account, Code section 401(k), Code section 401(m), default investment account, pre-approved, controlled or affiliated service group member, single employer type of plan.

### **Basic Financial Statement**

Benefits under the plan are provided through insurance and through a trust fund. Plan expenses were \$681,771. These expenses included \$45,247 in administrative expenses and \$636,524 in benefits paid to participants and beneficiaries. A total of 3142 persons were participants in or beneficiaries of the plan at the end of the plan year.

The value of plan assets, after subtracting liabilities of the plan, was \$4,212,975 as of December 31, 2023, compared to \$3,428,497 as of January 1, 2023. During the plan year, the plan experienced an increase in its net assets of \$784,478. This increase includes unrealized appreciation or depreciation in the value of plan assets; that is, the difference between the value of the plan's assets at the end of the year and the value of the assets at the beginning of the year or the cost of assets acquired during the year. The plan had total income of \$1,466,249, including employer contributions of \$205,974, employee contributions of \$607,461, other contributions of \$12,092 and earnings from investments of \$640,722.

### **Your Rights to Additional Information**

You have the right to receive a copy of the full annual report, or any part thereof, on request. The items listed below are included in that report.

- An accountant's report
- Financial information and information on payments to service providers
- Information on payments to service providers
- Assets held for investment
- Insurance information, including sales commissions paid by insurance carriers
- Information regarding any common or collective trusts, pooled separate accounts, master trusts or 103-12 investment entities in which the plan participates

To obtain a copy of the full annual report, or any part thereof, write or call the office of SUCCESS FOODS MANAGEMENT GROUP LLC, 4501 SPRINGDALE ROAD, AUSTIN, TX, 78723, 512-441-8900. The charge to cover copying costs will be \$0 for the full annual report or \$0 per page for any part thereof.

You also have the right to receive from the plan administrator, on request and at no charge, a statement of the assets and liabilities of the plan and accompanying notes, or a statement of income and expenses of the plan and accompanying notes, or both. If you request a copy of the full annual report from the plan administrator, these two statements and accompanying notes will be included as part of that report. The charge to cover copying costs given above does not include a charge for the copying of these portions of the report because these portions are furnished without charge.

You also have the legally protected right to examine the annual report at the main office of the plan, 4501 SPRINGDALE ROAD, AUSTIN, TX, 78723 and at the U.S. Department of Labor in Washington, D.C., or to obtain a copy from the U.S. Department of Labor upon payment of copying costs. Requests to the Department should be addressed to: Public Disclosure Room, N1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, DC 20210. The annual report is also available online at the Department of Labor website [www.efast.dol.gov](http://www.efast.dol.gov).

### **Paperwork Reduction Act Statement**

According to the Paperwork Reduction Act of 1995 (Pub. L. 104-13) (PRA), no persons are required to respond to a collection of information unless such collection displays a valid Office of Management and Budget (OMB) control number. The Department notes that a Federal agency cannot conduct or sponsor a collection of information unless it is approved by OMB under the PRA, and displays a currently valid OMB control number, and the public is not required to respond to a collection of information unless it displays a currently valid OMB control number. See 44 U.S.C. 3507. Also, notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number. See 44 U.S.C. 3512.

The public reporting burden for this collection of information is estimated to average less than one minute per notice (approximately 3 hours and 11 minutes per plan). Interested parties are encouraged to send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Office of the Chief Information Officer, Attention: Departmental Clearance Officer, 200 Constitution Avenue, N.W., Room N-1301, Washington, DC 20210 or email [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov) and reference the OMB Control Number 1210-0040.