

P M A A W E E K L Y REVIEW

FINAL SNAP RULE EXPECTED BY END OF THE YEAR

On Halloween the USDA sent the final “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)” Rule to the Office of Management and Budget (OMB) for review. PMAA submitted comments regarding the onerous proposed rule earlier this year.

PMAA has serious concerns that the proposed rule goes much further in changing the retailer SNAP participation requirements than Congress intended in the statutory requirements of the 2014 Farm Bill. Unfortunately USDA also added these unnecessary requirements in the proposed rule: retailers would be ineligible for the program if 15% of “total food sales” are items that are cooked or heated on site; that “multiple ingredient” items (cold pizza) would not be counted in any staple food category and would not go toward meeting a retailer’s “depth of stock” requirements. Currently multiple ingredient foods can be counted under the category of the main ingredient. In addition, the proposal would require that retailers always have six units of each of the 28 food items that are counted under the four categories of eligibility for SNAP participation. Currently stores are required to stock 28 items on a continuous basis but under the proposed rule, retailers would be required to stock 168 units of single-ingredient food items at all times.

PMAA is certain the proposed requirements could cause tens of thousands of convenience stores to stop participating in the SNAP program, at the detriment of people who lack easy access to transportation, particularly in rural areas and inner cities. To combat the SNAP proposed rule, the Senate Appropriations Committee passed its FY 2017 Agriculture Appropriations Bill which includes language offered by Agriculture Subcommittee Chairman Moran (R-KS). Moran’s amendment would prevent FNS from using funds to establish stocking requirements, eliminate multiple ingredient foods from the staple foods category, or prevent retailers from eligibility based on their percentage of heated or cooked food sales. The language passed without objection, sending clear congressional opposition to the proposed rule. The House Appropriations Committee passed similar language in April that would preclude FNS from finalizing or implementing its rule beyond the requirements in the 2014 Farm Bill. A final ruling is expected by the end of the year.

PMAA will continue to fight for fairness for retailers who help millions of Americans who participate in SNAP.