

USDA moves to relax Obama-era SNAP retail standards

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The USDA on Thursday released a proposed rule that would loosen parts of an Obama administration regulation that imposed stricter standards on the foods retailers participating in the Supplemental Nutrition Assistance Program must offer in their stores.

An initial Obama administration proposal would have required stores to stock a much greater variety of perishable foods. The USDA finalized the new requirements for SNAP retailers in the final weeks of the Obama administration after having walked back some of the most controversial parts of the initial proposal, but Congress ultimately blocked some of the requirements from being implemented. Convenience-store retailers, in particular, had argued the requirements were unworkable and expensive.

The Trump administration's proposed rule, set to formally publish on the [Federal Register](#) on Friday, would make it easier for retailers to meet the Obama-era requirements by changing the definition of what counts as "variety" within certain staple food groups, such as meat and poultry, fruits and vegetables, and dairy.

In some cases, the changes allow more shelf-stable products to count toward the variety stores are required to stock for each category. In other cases, USDA provides more detail on the types of foods that count toward the variety requirement. For example, lemon juice, canned beets, frozen spinach, cauliflower rice and canned black olives have been added to the list of foods that would count toward the variety requirements for fruits and vegetables.

USDA's latest proposal came after Congress used appropriations bills to prohibit the department from implementing the new rules until the department made changes to increase the number of foods that count as variety within staple food groups — language that came at the behest of parts of the retail industry that felt the standards were unworkable.

Anna Ready, director of government relations at the National Association of Convenience Stores, said USDA's proposed changes provide retailers with the necessary degree of flexibility when making decisions on how to stock their shelves.

"Convenience stores and other neighborhood stores face storage and size constraints, as well as delivery limitations, which would have made [the Food and Nutrition Service's] original definition of variety almost impossible to comply with even for the most sophisticated retail operations," Ready said in a statement. "As Congress intended, the proposed definition of variety will provide retailers with greater flexibility to reach eligibility requirements without making retailers stock items that simply do not sell in their stores or that they do not have the space or capacity to sell."