



**Association of State Public Health Nutritionists**  
PO Box 37094 • Tucson, AZ 85740-7094  
[tel & fax] 814-255-2829 • [www.asphn.org](http://www.asphn.org)

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Retailer Policy and Management Division  
Food and Nutrition Service, U.S. Department of Agriculture  
3101 Park Center Drive, Room 418  
Alexandria, VA 22302

**Re: Docket ID: FNS-2019-0003; Providing Regulatory Flexibility for Retailers in the Supplemental Nutrition Assistance Program (SNAP)**

Dear Secretary Perdue,

Regarding the call for comments to the United States Department of Agriculture's (USDA) **Re: Docket ID: FNS-2019-0003; Providing Regulatory Flexibility for Retailers in the Supplemental Nutrition Assistance Program (SNAP).**

The Association for State Public Health Nutritionists (ASPHN), an Affiliate of the Association of State and Territorial Health Officials, is composed of more than 400 public health nutritionists leading statewide nutrition efforts programs in all 50 states, the District of Columbia and five U.S. territories.

Our mission is to strengthen nutrition policy, programs and environments for all people. Our networks include public health programs and providers who play critical roles in delivering a wide range of programs; i.e. public health nursing, dental health, chronic disease prevention, and aging, as well as local level agencies. We are alarmed that American eating patterns are woefully deficient in healthful fruits, vegetables, and whole grains, while at the same time well above recommended intakes of sodium, saturated fat, and added sugars. The typical American diet contributes to higher disease prevalence, premature mortality, and disabilities.<sup>(1)</sup> Every year, as the rate of diet-related diseases increases as does the cost of preventable healthcare spending. In 2016, direct healthcare costs alone attributable to diet-related chronic diseases exceeded \$480 billion.<sup>(2)</sup> The problem is especially severe for low-income Americans whose access to and ability to purchase healthy foods is often limited. Upgrading standards for SNAP retailers offers tremendous potential to improve public health among SNAP participants and similar low-income Americans while also improving overall health in low-resource communities.

ASPHN submits the following comments for Docket ID: FNS-2019-0003; Providing Regulatory Flexibility for Retailers in the Supplemental Nutrition Assistance Program (SNAP).

ASPHN supports defining healthy, single-ingredient food items as staples in the minimum stocking standards for SNAP stores. This simplifies the inventory required for small retailers while also assuring that a minimum number of basic, whole foods will be available to all SNAP customers. However, SNAP stocking standards must establish a baseline inventory anchored to recommendations of the *Dietary Guidelines for Americans* so that any SNAP-authorized retailer

is guaranteed to have available a minimum quality of healthy staples from which SNAP participants can prepare healthy meals at home. Stocking standards should assure that a minimum number of the healthiest food options are always available. The minimum healthy requirement does not limit a retailer's ability to carry any other food that may be purchased with SNAP EBT. Therefore, ASPHN strongly disagrees with the small variety and the nutritional quality of some examples used in USDA's proposed food lists.

To that end, recommended and allowable foods should be based on their nutrient contributions to the diet, corroborated by USDA's Food Patterns Equivalents Database, Healthy Eating Research,<sup>(3)</sup> and the *Dietary Guidelines for Americans*. For example, the *Dietary Guidelines* recommends lower intake of sodium, added sugars, and saturated fat in Americans' diet to reduce the risk of heart disease.<sup>(4)</sup> The *Guidelines* promote greater consumption of nutrient-dense foods such as vegetables, fruits, whole grains, seafood, eggs, beans and peas, unsalted nuts and seeds, fat-free and low-fat dairy products, and lean meats and poultry—when prepared with little or no added solid fats, sugars, refined starches, and sodium.<sup>(5)</sup>

As an organization of public health nutritionists, ASPHN specifically urges USDA to modify the Final Rule as follows:

- On food lists, include only foods that are eaten as full servings in meals or snacks. On tables showing examples of 7-item inventories, choose only the most nutritious items, considering the most economical, culturally appropriate and child-friendly items from among healthy choices.
- For example inventories of fruits and vegetables, list the most nutritious choices such as deep green, orange and leafy green vegetables and whole fresh fruits. Encourage retailers to offer seasonal and locally grown choices. Exclude items used as condiments like lemons, lemon juice, and olives from the staple food list.
- For the milk group, include only items nutritionally equivalent to a cup of low-fat cow milk. Do not include butters, cheese spray, cream cheese, and un-supplemented soy-rice-almond milks.
- For protein foods, require a variety drawn from different sources -- eggs, poultry, beef, pork, fish, beans and nuts. Include legumes and nuts as proteins, not as fruits and vegetables. Avoid listing high-sodium, processed, and cured meats, e.g., ham, lunchmeats, jerky, and bacon in examples of minimum inventories.
- For grain foods, in example inventories list at least half as whole grain; show more examples using corn, rice, and oats.
- Fruits and vegetables have been the most under-consumed of all healthy foods for at least three decades. USDA is supposed to implement national nutrition policy in the form of the *Dietary Guidelines for Americans* and its MyPlate interpretation. Instead the outdated Four Food Groups (1956) is the standards used in the current stocking standards. Therefore, ASPHN again recommends that in the Final Rule, USDA define fruits and vegetables as two separate food groups and require SNAP retailers to offer a minimum of 7 items for each. This is warranted because USDA studies show that the current standard of 7 fruit and vegetable items is being met by the great majority of retailers. Requiring greater fruit and vegetable inventory also will open an important and stable new market for American agriculture, especially for local farmers, and harmonize SNAP retailer standards with nutrition policy used in all other federal nutrition and health programs.

- Enlist SNAP State Agencies and their SNAP-Ed partners to work collaboratively with each other as well as with non-government entities that support local and community retailers to assist with identifying supply chains, conducting social marketing campaigns, and offering nutrition education.
- Provide technical assistance, training, and support to small stores to stock and promote healthier options. Many stores in low-income communities are interested in offering and promoting such options but need support on how to do so.
- Issue guidance concurrently with the Final Rule to minimize potential negative impact on small, rural and primarily non-food SNAP retailers such as dollar stores and pharmacies.
- Set aside adequate funding for these efforts before and during implementation.

## Conclusion

ASPHN prevails upon USDA to harmonize its standards with other public health nutrition programs including the food packages for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and standards for the National School Lunch and Breakfast programs. Needless to say, maintaining higher SNAP standards will also help simplify inventory for retailers and for customers participating in WIC and SNAP. It is imperative that USDA clarify accessory foods, such as beef jerky, nacho cheese sauce, pimiento-stuffed olives, and buttery spreads not be counted as staple foods and cannot be credited toward SNAP standards.

In serving the American public, USDA has a duty to consider only healthy foods as staple food items. To effectually contend with mounting healthcare cost and to advance healthier eating behavior patterns among American communities most at-risk, ASPHN encourages the USDA to draw on nutrition considerations as the central factor when determining varieties of food SNAP-authorized retailers must stock. Access to healthy foods and good nutrition are corner stones of the American economy and national security. We as public health nutritionists witness, first hand, the devastating impact diet-related diseases and illness can have on individuals, families, communities, and the nation as a whole. Millions of Americans are confronted with the physiological, social, and economic burdens resulting from excess weight gain, high blood pressure, prediabetes, and other preventable diet-related health problems. An alarming 70% of adults and 33% of children and teens are now overweight or obese. (6, 7) Approximately 45% of adults have diabetes or prediabetes. (8) Costing the government countless billions of dollars in direct and indirect healthcare costs associated with preventable diet related illnesses and diseases.

Again, ASPHN would like to thank the USDA for the opportunity to provide comments which we hope will help strengthen the SNAP stocking standards rule. ASPHN looks forward to supporting USDA's efforts to address food insecurity and improve the overall health and nutrition of low-income American consumers.

Sincerely,



Robin Stanton, MA, RDN, LD

President, ASPHN Board of Directors

## References

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