



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

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James C. Miller
Administrator, Food and Nutrition Service
United States Department of Agriculture
SNAP Retailer Policy Division
1320 Braddock Place, Alexandria, Virginia 22314.

Re: Updated Staple Food Stocking Standards for Retailers in the Supplemental Nutrition Assistance Program [FNS-2025-0018]

Dear Administrator Miller:

The Washington State Department of Health (DOH) appreciates the opportunity to comment on the proposed rule “Updated Staple Food Stocking Standards for Retailers in the Supplemental Nutrition Assistance Program,” printed in the Federal Register on September 25, 2025 (FNS–2025–0018).

DOH administers the Women, Infants, and Children Nutrition Program (WIC) program which provides access to nutrient-rich foods, nutrition education, lactation support, and referrals to health and social services for more than 212,000 families across Washington state. WIC services support healthy eating, breastfeeding, access to healthy foods, and physical activity through contracts with local health jurisdictions, community agencies, Tribal organizations, and food retailers.

Vendors for the Supplemental Nutrition Assistance Program (SNAP) serve many of the same individuals and communities as Washington’s WIC participants. While the proposed rule is formally directed at SNAP, DOH has identified potential implications for the WIC Program and for the retail network serving our WIC and Fruit and Vegetable Incentive Program (FVIP) participants. In Washington, WIC vendors are also required to accept SNAP benefits. The FVIP offers produce match coupons at participating grocery stores to SNAP recipients. With this in mind, DOH offers the following feedback for consideration on proposed changes for the SNAP vendor stocking requirements:

Vendor Access and Continuity

Many of Washington’s WIC participants rely on smaller-format stores, rural and Tribal-area retailers, or dual-authorized SNAP/WIC vendors for access to WIC-approved foods. The proposed increase in minimum “varieties” (from three to seven in each of the four staple food categories) and the enhanced perishability/presentation requirements may pose significant

compliance challenges for such stores. These challenges will be exacerbated by the loss of the SNAP-Ed program, which could have provided the necessary technical assistance, stands, and equipment to help stores meet the new standards. If stores are unable or unwilling to meet the new SNAP criteria, there is a risk that they may withdraw from SNAP participation, change assortments away from WIC-approved products, or decline WIC vendor participation thus reducing access for WIC participants in underserved regions.

Food-access Implications

Washington's WIC program has a strong focus on nutrition security, and reducing barriers in rural, Tribal, and low-income urban communities. If smaller stores reduce participation or shift assortments in response to the proposed stocking rule, the very populations we aim to serve may face reduced choice or longer travel distances for WIC-approved foods. The goal of improving healthy food access could be undermined for WIC participants, even if the intention of the rule is to increase variety for SNAP households.

USDA should consider a more balanced approach to “accessory food” recommendations that takes access to kitchen facilities and clean running water into consideration. The proposed rule may alter retailers' inventory strategies (e.g., shifting shelf space toward new required varieties or away from accessory items). While this may, as a whole, increase stocking of fresh and frozen foods, it may also decrease access to options that do not require cooking, such as jerky and snack bars. While these are typically used as “snacks” between meals, they can be a staple product for people living without kitchen facilities or running water. A compromise may be to require that a set number of products in this category can count toward the minimum “staple foods” stocking requirement.

Convenience Store Viability

In calendar year 2022, convenience stores were used by 59.6 percent of SNAP households, accounting for 5.1 percent, or \$58.5 million of total SNAP redemptions¹. Convenience stores operate with low net profit margins, have small store footprints, and often only receive deliveries 1-2 times per week². This could make it particularly challenging to meet perishable food requirements in the new stocking standards. What's more, the efficacy of programs that increase access to fruits and vegetables at convenience stores are mixed. The most successful programs are multi-component and include technical assistance, infrastructure support, and/or nutrition incentives³. To help offset challenges, USDA could offer implementation grants or strengthen and expand programs such as GusNIP, which have been shown to successfully incentivize healthy eating⁴. Increased fruit and vegetable incentives could help convenience stores sell fresh produce and decrease non-profitable shelf space.

Recommendations

DOH recommends USDA provide waivers or phased-in compliance schedules for rural or small-format stores (especially those that also serve WIC participants) so that vendor access is not disrupted. Ensuring coordination across Food and Nutrition Services (FNS) programs like SNAP

¹ “Where are Basic Food Benefits Used in Washington State?”. July 2024. Washington Department of Social and Health Services.

² “SNAP Stocking Requirements”. July 2025. National Association of Convenience Stores.

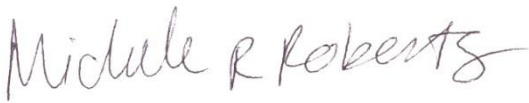
³ “Healthy Food in Convenience Stores”. December 2020. County Health Rankings & Roadmaps.

⁴ “Gus Schumacher Nutrition Incentive Program (GusNIP): Year 3 Impact Findings”. 2023. Prepared for Agriculture, National Institute of Food and Agriculture.

and WIC so that proposed retail changes do not inadvertently reduce WIC vendor access is critical. DOH recommends USDA offer technical assistance or incentive grants for small/independent retailers in underserved areas to help them meet the new stocking standards without dropping WIC participation. DOH also recommends USDA consider strengthening and expanding GusNIP as a complementary approach to improving healthy food access.

Thank you for the opportunity to provide these comments. If you have any questions, please contact Mike Ellsworth at Michael.Ellsworth@doh.wa.gov or the Director, Federal and Inter-State Affairs for Governor Ferguson's Washington, D.C. office Rose Minor at Rose.Minor@gov.wa.gov

Sincerely,

A handwritten signature in dark ink, reading "Michele R Roberts". The signature is fluid and cursive, with the first name "Michele" being more prominent and the last name "Roberts" following in a similar style.

Michele Roberts,
Assistant Secretary
Prevention and Community Health Division
Washington State Department of Health