



November 24, 2025

SNAP Retailer Policy Division
Food and Nutrition Service
U.S. Department of Agriculture
1320 Braddock Place
Alexandria, VA 22314

RE: Comments on Updated Staple Food Stocking Standards for Retailers in the Supplemental Nutrition Assistance Program; FNS-2025-0018

To Whom It May Concern:

On behalf of FMI – The Food Industry Association¹ and the tens of thousands of grocery stores operated by our food retailer member companies, thank you for the opportunity to provide comments regarding USDA's proposed rule updating the staple food requirements for retailer participation in the Supplemental Nutrition Assistance Program (SNAP), published in the Federal Register on September 25, 2025.

For more than 50 years, FMI and our food retailer members – from national supermarket chains and regional grocers to independent operators – have partnered closely with USDA to ensure the successful administration of SNAP and other nutrition assistance programs. During this time, USDA and America's food retailers have played complementary roles in delivering SNAP, pairing effective program administration with retailer-driven access to nutritious, affordable foods in every community. Our shared commitment to supporting Americans and increasing access to safe, healthy foods remains the cornerstone of that partnership.

FMI members are deeply invested in improving nutrition, health, and well-being. Food retailers today serve as full-service health and wellness destinations, providing registered dietitians in stores, personalized nutrition guidance, food-as-medicine programs, and an ever-expanding assortment of nutritious products. FMI members' supermarkets are often the first – and sometimes the only – source of nutritious food in rural communities, urban



neighborhoods, and underserved areas where SNAP participation is highest. This role places retailers at the center of efforts to improve food access and support the health of individuals and families who rely on SNAP.

Support for USDA's Proposed Updates

FMI appreciates USDA's goals of modernizing the stocking standards to better reflect today's food marketplace and support improved access to nutritious staple foods for SNAP participants and their families. We agree that ensuring a broad range of staple foods in the categories of fruits and vegetables, dairy, grains, and proteins aligns with SNAP's core purpose of reducing food insecurity by ensuring eligible households can reliably purchase nutritious staple foods needed to consistently put balanced meals on their tables.

FMI and our food retailer members generally meet – and typically exceed – the proposed requirements already, particularly among traditional grocery formats.

Considerations Related to Retailer Diversity and Store Format Differences

At the same time, we respectfully offer several considerations to support effective, practical implementation and to help USDA assess how the updated requirements may affect different types of retail formats, including smaller-format stores. Our intent is not to oppose these changes but to provide insight into how they may play out operationally for retailers whose footprints or business models differ from traditional supermarkets. While we generally support the proposed changes, it is important to recognize that smaller-format and convenience-oriented stores will likely experience challenges in implementing the updated requirements.

Many FMI members operate a variety of store formats beyond traditional supermarkets. These include small-footprint "express" grocery stores, limited-assortment neighborhood markets, hybrid grocery-fuel locations, and convenience-oriented formats with significantly constrained shelf, dry storage, and refrigeration capacity. These stores can play an important role in food access – particularly in rural communities, small towns, and urban neighborhoods where traditional grocery stores may not be viable. Because these formats are designed around rapid turn, limited SKU assortments, and/or smaller refrigeration footprints, they may face significant challenges in meeting the expanded dairy and grain variety requirements as proposed. For example, adding multiple refrigerated dairy varieties may require expansion of cooler space that is not feasible within existing footprints, while meeting seven distinct grain varieties may require SKU proliferation that conflicts with small-format inventory strategies.

Clarification on Out-of-Stock Situations

FMI appreciates that the proposed rule incorporates a 21-day documentation allowance for retailers that do not meet the stocking requirements at the time of an FNS store visit, permitting stores to demonstrate that required items were ordered or received within the previous 21 days. This is a helpful acknowledgment of the normal fluctuations that occur in retail inventory management, and, increasingly, product loss due to organized retail crime.

Out-of-stocks are inevitable in food retail, especially for perishable items and items affected by supply chain variability. We encourage USDA to make clear that retailers remain in compliance as long as they routinely carry the required varieties and can demonstrate reasonable efforts to keep them in stock as required, and that temporary out-of-stocks alone should not jeopardize a store's SNAP authorization.

Additionally, we encourage USDA to clarify that required items kept in secure locations – such as locked cases, backroom inventory, or other controlled-access areas to prevent theft – should be treated as available stock for compliance purposes, so long as they are offered for sale to customers. This clarification would help ensure that retailers taking necessary steps to reduce theft do not inadvertently face compliance challenges.

Request for Clear, Practical Written Guidance

FMI strongly encourages USDA to issue timely, written guidance that clearly explains how retailers should interpret and implement the updated stocking standards. Given the scope and complexity of the proposed changes, clear guidance will be essential to reducing confusion during implementation and helping retailers adjust product assortments, planograms, and operational practices to fully comply with the updated standards.

We also encourage USDA to engage directly with FMI and retailers as guidance is developed. Retailer input will help ensure that clarifications are practical, workable across different operating environments, and supportive of the program's goals. Early and ongoing dialogue will also help identify any unintended challenges and ensure a smoother transition once the final rule is implemented.

FMI appreciates USDA's commitment to modernizing the SNAP stocking requirements in a manner that promotes access to nutritious foods. We share USDA's goal of supporting improved food security for individuals and families who rely on SNAP, and we look forward to continued collaboration with the Department as implementation moves forward.

We appreciate the opportunity to share our views on the proposed rule and welcome continued engagement with USDA throughout the implementation process. If you have any questions or wish to discuss the topic in greater detail, please do not hesitate to contact me at pmatz@fmi.org or (202) 452-8444.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Matz".

Peter Matz
Director, Food and Health Policy