



November 24, 2025

Patrick A. Penn
Deputy Under Secretary
Food, Nutrition, and Consumer Service
1320 Braddock Place
Alexandria, Virginia 22314

Re: "Updated Staple Food Stocking Standards for Retailers in the Supplemental Nutrition Assistance Program (SNAP)" (FNS-2025-0018; RIN 0584-AF12)

Deputy Under Secretary Penn:

I write today as the President and CEO of the Convenience Distribution Association (CDA), the trade association representing convenience products distributors in the United States. On behalf of CDA members, I want to provide comments on the recently proposed rule from the U.S. Department of Agriculture's Food and Nutrition Service (FNS) changing retailer eligibility requirements in the Supplemental Nutrition Assistance Program or "SNAP."

CDA represents wholesale distributors nationwide who supply the full range of consumer goods offered in convenience stores and smaller grocery stores. Our distributor members represent more than \$102 billion in U.S. convenience product sales across 152,000 stores¹ and our associate members include manufacturers, brokers, retailers and others allied to the convenience product industry. Many of our members provide necessary convenience items to those retailers in rural, urban and suburban communities and, as such, are participants in the essential SNAP program. In fact, a convenience store is just around the corner from many Americans: 43% say they live within a mile of a c-store, and in rural areas, more than eight in 10 residents (86%) say these locations are within 10 minutes of their home and are often the only place in town to buy grocery items, fuel or other products or services². These stores are often the community gathering spot, providing essential services for the nearby residents like food, fuel, financial services or even mail.

The proposal issued by FNS would impact SNAP beneficiaries, retail stores and the entire retail supply chain. By making it much harder for these retailers to participate in SNAP, the proposal would curtail access for many of the program recipients that use their benefits at these convenient small businesses. Under the proposed rule, as drafted, FNS would require SNAP retailers to offer at least seven different varieties of food items in each of the four staple food categories, including at least one perishable item in three of the staple food categories. Retailers are also required to stock at least three stocking items for each of the staple foods. These requirements are unduly burdensome for the smaller retail establishments which provide an essential service to participants in SNAP.

¹ *U.S. Convenience Store Count*. National Association of Convenience Stores. (2025, February 5). <https://www.convenience.org/Research/Convenience-Store-Fast-Facts-and-Stats/FactSheets/IndustryStoreCount>

² *Convenience Stores and Their Communities*. National Association of Convenience Stores. (n.d.). <https://www.convenience.org/Topics/Community/Convenience-Stores-and-Their-Communities>

A survey of CDA members highlights not only the impact to retailers, but to distributors as well. While our members are aware of the proposed changes to stocking standards, they are unsure about, and thus unprepared for, changes in product selection and inventory management, including but not limited to forecasting product popularity, increased inventory, storage constraints, and possible supply chain shortages. This is especially true in the dairy and grain categories, which will be most challenging for both distributors and convenience stores to address.

The financial impact on both retailers and distributors will be significant. Many of the stores CDA distributors supply simply do not have the shelf space available to stock the increased variety this proposed rule requires. Indeed, many stores our distributors service are located in rural or deep urban areas and do not have additional storage space in backrooms; thus, all products are stored on the retail floor space. In most cases, even the retail floor space is limited and cannot expand to accommodate numerous additional products. Not only is space limited, but stocking these increased varieties will lead to food spoilage both in the store and at the distribution level. More than half of CDA survey respondents indicated that financial impact of waste and spoilage is a high area of concern. This is especially true in the dairy category, as refrigerated dairy products have a short shelf life and high transportation cost. Requiring additional dairy products that the typical convenience store customer does not purchase will increase costs throughout the food chain and increase waste.

Finally, we would urge FNS to come up with a workable approach to the term “variety.” Variety should reflect that while consumers buy different products (bread, tortillas, frozen sandwiches) within the same food family (grains) those are different items and should be considered different varieties. These types of foods are extremely popular in the stores CDA members contract with but counting them as one variety when they are very different makes compliance with the rule nearly impossible in stores with small footprints.

The proposal issued by FNS could result in tens of thousands of stores exiting the SNAP program making it much more difficult for low-income Americans to find convenient places to buy the foods they need and want. The proposed rule unfairly impacts these low-income Americans and hurts many of our small, family-owned distributor businesses as well. Convenience stores, by their very nature, are frequently open more hours in a day than are the larger format retailers. For this reason, convenience stores offer many low-income workers with varying work schedules an opportunity to buy the foods they need and want at all hours – even late at night.

On behalf of CDA, I am writing to urge the FNS to rework its proposal to ensure the rule does not unreasonably restrict the number and type of locations at which SNAP beneficiaries can redeem their benefits and obtain the nutrition they need. Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in blue ink that reads "Richard T. Owen". The signature is fluid and cursive, with a long horizontal line extending from the end.

Richard Owen
President & CEO
Convenience Distribution Association