October 27, 2026

The Honorable Brooke Rollins
Secretary
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

RE: Request for Enforcement Discretion and Published Guidance on New SNAP Stocking Requirements

Dear Secretary Rollins,

On behalf of the National Association of Convenience Stores (NACS), NATSO: Representing America's Travel Centers and Truck Stops, and SIGMA: America's Leading Fuel Marketers, we write to raise concerns about how the Updated Staple Food Stocking Standards final rule is being implemented, and to ask for your help in working to ensure fair implementation of the new rule.

Convenience retailers do not oppose stronger stocking standards, and we appreciate USDA's efforts to increase healthy options on shelves and improve program integrity. In fact, our industry supported the 2014 Farm Bill's enhanced stocking standards, which struck a careful balance between increasing the amount of nutritious food available on shelves while preserving the critical access to food that smaller format food stores provide SNAP customers. More than 117,000 convenience stores participate in SNAP, representing nearly half of all authorized retailers, and our members want to continue serving the SNAP families in their communities. However, the way this rule is being implemented has raised serious concerns.

Since the rule's publication on May 8, 2026, the Food and Nutrition Administration (FNA) has made more than a dozen determinations about how the rule applies to specific products in response to questions NACS submitted on behalf of its members. We appreciate this feedback and have communicated these answers as broadly as possible. However, these determinations were issued informally, and in several cases, they read the rule more narrowly than its text supports. They indicate an inclination to interpret and enforce the new standards aggressively in ways retailers could not have anticipated from the rule itself. Interpretations that effectively impose new obligations should be adopted through a transparent public process. At a minimum, they cannot fairly be enforced against retailers who have never seen them.

Answering these questions informally does not give the entire regulated industry (some of whom NACS, NATSO, and SIGMA do not reliably reach) the official guidance it needs in order to rely on them; nor does it give personnel charged with enforcing these standards the guidance they need to apply them consistently. Proceeding with the rule without these important determinations spelled out in official, public guidance is a recipe for inconsistent and unfair enforcement.

Retailers cannot plan around a moving target. They need additional time and reliable, published guidance to understand what the USDA will actually require before enforcement begins. The timing of

implementation and the answers we have only recently received make compliance by the November 4 deadline impossible for many businesses. It can take months for retailers to change suppliers or make significant revisions to the products they receive from their suppliers. Determinations made by USDA in mid-October, which have yet to be officially published by the agency, simply do not provide enough time for retailers to react and change the products they stock.

On August 31, nearly 250 convenience retailers representing over 40,000 locations in all 50 states wrote to USDA regarding their concerns with the compliance timeline. Over eight weeks later, and just eight days before November 4, the Department has not responded to that letter. We would appreciate an explanation for the delay, and we ask that those retailers receive a response long before the new standards are enforced.

The September 29th letter from twelve Republican senators, led by Senator Jim Justice, expresses similar concerns about the timeline, requests a delay in enforcement, and, in our view, also merits a response before any enforcement occurs.

Given this outpouring of concern, we respectfully ask that you direct the Food and Nutrition Administration to take the following steps:

1. **Publish all interpretations in written guidance available to every SNAP retailer**, including each determination made in response to our associations and additional responses that USDA has communicated to any other stakeholders.

2. **Announce enforcement discretion or a grace period of at least 90 days following the date of publication of all interpretations of the rule in written guidance**. This would be consistent with the 90-day grace period USDA provided retailers to implement SNAP food restriction waivers.

3. **Respond to the 250 retailers who wrote to USDA on August 31**.

4. **Establish and publicize a dedicated technical assistance channel** with timely response commitments before new standards go into effect. We appreciate the interim inbox for retailer questions, but answers given there should also become public guidance.

Given how close the compliance date is, we respectfully request a response as soon as possible. We would welcome the opportunity to meet with you to discuss these requests.

Thank you for your attention to the millions of SNAP families who depend on our members' stores.

Sincerely,

National Association of Convenience Stores
NATSO: Representing America's Travel Centers and Truck Stops
SIGMA: America's Leading Fuel Marketers