

# **Stocking Up:** Navigating USDA's New SNAP Retailer Stocking Requirements

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# Welcome!



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# Why are we here?

**2014**



## **Farm Bill passed**

Required food varieties  
increased from 3 to 7

*NACS supported this increase*

**2016**



## **Obama-era final rule**

Would have pushed our  
industry out of SNAP

**2017+**



## **Appropriations block**

Congress has blocked the  
2016 rule from taking effect

*Also directs USDA to finalize a  
new rule redefining “variety” to  
give retailers more flexibility*

# 2026 Final Rule

- Goes into effect 180 days after official publication
  - Friday, May 8 → Wednesday, November, 4
- USDA has not updated its retailer website
- Guidance document has not been published
  - NACS is seeking a delay (more on this later)



# New Stocking Requirements



## Protein

*including plant-based*

7

**varieties**

× 3 stocking units each



## Grains

7

**varieties**

× 3 stocking units each



## Vegetables / Fruit

7

**varieties**

× 3 stocking units each



## Dairy

*including plant-based*

7

**varieties**

× 3 stocking units each

**Plus:** one variety must be perishable in at least 3 of the 4 categories

# Distinguishing Staple Food Varieties

- USDA is distinguishing certain kinds of varieties in three separate groups for organizational purposes:
  - **Group 1** (Single-Ingredient Varieties)
  - **Group 2** (Derivative Food Product Varieties)
  - **Group 3** (Shelf-Stable Varieties)
- Butter and jerky are moving to the **Accessory Foods** list and cannot be used to meet stocking requirements

# Group 1: Single Ingredient Varieties

- The following foods, with no other ingredients added, count as distinct staple food varieties, **separate** from multi-ingredient foods with the same main ingredient:
  - Shell eggs
  - Perishable meat, poultry, or fish (for each different kind of animal)
  - Dry beans
  - Dry peas
  - Dry lentils
  - Raw grains (for each different kind of grain, e.g., rice and barley)
  - Flour (for each different kind of grain, e.g., wheat flour and rice flour)
  - Perishable liquid milk

# Group 1: Single Ingredient Varieties

## What does that mean?

Foods identified under Group 1 count as **distinct varieties**, **separate** from other multi-ingredient foods with the same main ingredient. For example:



≠



Plain  
chicken

Seasoned  
chicken

2 distinct varieties



≠



Plain milk

Flavored  
milk

2 distinct varieties



≠



Wheat flour

Frozen  
burrito

2 distinct varieties



## Group 2: Derivative Food Product Varieties

- Regardless of type, kind, flavoring, or main ingredient, the following foods **count as only one distinct staple food variety**.
- Any other food item **not** on this list with the same main ingredient will count as a **separate variety**.
  - Tofu/tempeh
  - Bread (whole grain)
  - Bread (non-whole grain)
  - Pasta/noodles (whole grain)
  - Pasta/noodles (non-whole grain)
  - Breakfast cereals
  - Shredded cheese (including grated, shaved, and crumbled)
  - Cheese (non-shredded)
  - Fermented/cultured dairy beverages
  - Yogurt (non-liquid)
  - Sour cream
  - Infant formula
  - Infant cereal

# Group 2: Derivative Food Product Varieties

## What does that mean?

*If the food is listed under **Group 2**, it counts as **just one variety**, even if the main ingredient is different. But any other food item not on that list will count as a separate variety, even if the main ingredient is the same. For example:*



=



Whole grain  
rice noodles

Whole grain  
wheat  
noodles

*Same variety ("whole grain  
pasta / noodles")*



≠



Loaf of  
white bread

Frozen  
burrito

*2 distinct varieties*

## Group 3: Shelf-Stable Varieties

- The following foods sold in a **shelf-stable form** with or without other ingredients count as **distinct varieties** from the single-ingredients in Group 1, as well as from perishable multi-ingredient foods with the same main ingredient.
  - Meat, poultry, or fish (for each different kind of animal)
  - Liquid milk
  - Dried / powdered milk

# Group 3: Shelf-Stable Varieties

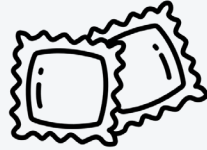
## What does that mean?

*Even with beef as the main ingredient, preparation and shelf-stability create distinct varieties. For example:*



**Raw ground  
beef**

≠



**Frozen beef  
ravioli**

≠



**Canned  
beef stew**

***3 distinct varieties***

# Staple Food Categories: How to Get to 7



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# Dairy: How to Get to 7+

## 1 Perishable liquid milk (1)

- Whole fat
- Nonfat
- 2%

## 2 Multi-ingredient milk (1)

- Chocolate
- Strawberry

## 3 Shelf-stable liquid milk (1)

- Canned evaporated milk
- Boxed shelf-stable whole milk

## 4 Dried/powdered milk (1)

- Carnation Instant Dry Milk

## 5 Non-shredded cheese (1)

- String mozzarella cheese
- Kraft American Singles
- Cottage cheese
- Cream cheese

## 6 Shredded cheese (1) *incl. grated, shaved, crumbled*

- Grated parmesan
- Shredded cheddar

## 7 Non-liquid yogurt (1)

- Greek yogurt
- Flavored yogurt
- Go-Gurt

## 8 Cultured dairy beverages (1)

- Drinkable yogurt (Chobani or Danimals)
- Buttermilk
- Kefir

## 9 Sour cream (1)

- Daisy Sour Cream

## 10 Cream (1)

- Half and half

## 11 Infant formula (1)

- Similac Instant Formula

## + Plant-based dairy alts (+) *up to 3 varieties*

- Oat milk
- Soy milk yogurt
- Kite Hill almond cream cheese

# Dairy: How to Get to 7

1



**Whole Milk**

2



**Chocolate Milk**

3



**Half and Half**

4



**Sweetened  
Condensed Milk**

5



**String Cheese**

6



**Yogurt**

7



**Yogurt Drink**

# Grains: How to Get to 7+

## 1 Whole grain bread (1)

- Nature's Own 100% Whole Wheat
- Corn tortillas
- Whole grain bagels\*

## 2 Non-whole grain bread (1)

- Sourdough bread
- Flour tortillas
- Wonder Bread

## 3 Whole grain pasta (1)

- Barilla whole-grain spaghetti
- Kraft whole grain mac & cheese

## 4 Non-whole grain pasta (1)

- Frozen lasagna
- Cup Noodles
- Rice noodles

## 5 Breakfast cereal (1)

- Cheerios
- Apple Jacks cereal cup
- Frosted Flakes

## 6 Flour (+)

- Wheat flour
- Rice flour
- Corn meal

*1 variety per grain*

## 7 Dry whole grains (+)

- Instant white rice
- Plain instant oatmeal
- Quinoa

*1 variety per grain*

## 8 Multi-ingredient (+)

- Rice-A-Roni
- Apple cinnamon instant oatmeal
- Frozen pizza

*1 variety per grain*



# Grains: How to Get to 7

1



**Hot Dog Buns**  
(non-whole grain bread)

2



**Whole Wheat Bread**  
(whole grain bread)

3



**Ramen**

4



**Apple Jacks**

5



**Rice-a-Roni**  
(multi-ingredient: rice)

6



**Frozen Pizza**  
(multi-ingredient: wheat)

7



**Plain Instant Oatmeal**

# Protein: How to Get to 7+

## 1 Single-ingredient meat (+)

*1 variety per animal*

- Ground beef
- Plain pork chops
- Frozen chicken breast

## 2 Multi-ingredient meat (+)

*1 variety per animal*

- Frozen chicken nuggets
- Lunchables (Turkey & Cheddar)
- Jimmy Dean sausage

## 3 Shelf-stable meat & fish (+)

*1 variety per animal*

- canned beef stew
- canned chicken soup
- tuna pouch

## 4 Shell eggs (1)

- Carton of eggs

## 5 Tofu / tempeh (1)

- Tofu

## 6 Dry beans (1)

- Dry black beans
- Dry red beans

## 7 Dry peas (1)

- Goya dry split peas

## 8 Dry lentils (1)

- Bob's Red Mill green lentils

## 9 Multi-ingredient beans/peas/lentils (+)

*1 variety per item*

- Canned baked beans
- Canned pea soup

## 10 Nuts / seeds (+)

*1 variety per item*

- Almonds
- Peanuts
- Sunflower seeds

# Protein: How to Get to 7

1



**Frozen Chicken  
Nuggets**

2



**Canned Beef Stew**

3



**Tuna Pouch**

4



**Hard Boiled Eggs**

5



**Peanuts**

6



**Sunflower Seeds**

7



**Canned Baked  
Beans**

# Fruits/Vegetables: How to Get to 7+

## 1 Carrots (1)

- Shredded carrots
- Canned carrots
- Frozen carrots

## 2 Bananas (1)

- Banana
- Frozen bananas
- Sliced bananas

## 3 Blueberries (1)

- Frozen blueberries
- Fresh blueberries

## 4 Apples (1)

- Applesauce
- Sliced Granny Smith apples
- Whole Fuji apple
- 100% apple juice

## 5 Oranges (1)

- 100% orange juice
- Sliced oranges
- Whole orange

## 6 Tomatoes (1)

- Fresh tomatoes
- 100% tomato juice
- Canned diced tomatoes
- Pasta sauce (if tomato is main ingredient)

## 7 Potatoes (1)

- Fresh potatoes
- Frozen tater tots
- Frozen hash browns

## 8 Green Beans (1)

- Canned green beans
- Frozen green beans

# Fruits/Vegetables: How to Get to 7

1



**Sliced Apples**

2



**Bananas**

3



**Orange Juice**

4



**Frozen  
French Fries**

5



**Canned Green  
Beans**

6



**Pickles**

7



**Grapes**

# Accessory Foods (Cannot Count Towards Stocking Requirements)



## Snacks & Desserts

- Chips and other finger snacks
- Baked, gelatin and pudding desserts
- Ice cream and frozen desserts
- Candy and chocolate
- Snack bars (including protein or granola bars)
- **Jerky** NEW



## Food Items that Complement / Supplement Meals

- Carbonated and uncarbonated beverages (except dairy, plant-based dairy, and 100% fruit or vegetable juice)
- Condiments
- Cheese or fruit dips and spreads
- Sweeteners (e.g., honey, sugar)



## Edible Items Used in Food Preparation

- Extracts (e.g., vanilla)
- Spices and seasonings
- Baking soda, powder, yeast, starch
- Cooking oils & fats
- **Butter** NEW
- Broths, stocks, gelatin, bouillon

# A Note on Prepared Foods

- SNAP retailers **cannot** use hot or cold, prepared foods to count towards their stocking requirements
- **Cold prepared foods** includes any food that:
  - is made by the retailer (for example, food products that are assembled, cooked, mixed, or otherwise prepared by the retailer),
  - is made or prepared by the retailer on the premises of the firm,
  - is sold cold, **and**
  - requires no additional preparation for immediate consumption.
- Examples of **cold prepared foods** include, but are not limited to:
  - fresh salads, fruit cups or salad bars;
  - sandwiches;
  - meat and/or cheese platters;
  - prepared meats or seafood; and
  - Soft-serve or scooped ice cream served in cups, bowls, or cones (distinct from a sealed container of ice cream)

# What Comes Next?

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- **NACS is pushing for delayed enforcement** of the rule, given the lack of guidance out of USDA.
- **Are you a SNAP retailer?** Scan the QR code to add your company to our industry sign-on letter requesting a delay.
- **Do you think you'll be able to comply with the new rule?** Let us know if the answer is yes or no!



**Scan to sign on**



**Thank you!**

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