



January 19, 2018

Retailer Policy and Management Division, SNAP
RPMD Policy Memorandum 2018-05

SUBJECT: Retailer Eligibility – Accessory Foods in Store Eligibility Determinations

Legislation: Food and Nutrition Act of 2008, Section 3(k)

Regulations: [7 CFR § 271.2](#) (definition of “staple food”)

Rule: (FINAL) “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)” published on December 15, 2016, at [81 FR 90675](#)

(PROPOSED) “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program” published on February 17, 2016, at [81 FR 8015](#)

IMPLEMENTATION DATE: January 17, 2018

OVERVIEW: This memorandum clarifies policy related to implementation of the final rule, “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP),” which amended the definition of “staple food” in SNAP regulations, at 7 CFR § 271.2. Specifically, this memorandum clarifies foods considered “accessory foods,” which do not count as staple foods for purposes of determining the eligibility of any firm. This provision realigns the definition of “accessory food items” with statutory intent, defining “accessory food items” to include snacks, desserts, and foods that complement or supplement meals.

For more information about staple foods and staple food inventory or sales requirements under Criterion A or B, please see RPMD Policy Memorandum 2018-04. Heated and prepared foods, which, like accessory foods, may not count as staple foods in store eligibility determinations, are clarified in RPMD Policy Memorandum 2017-02.

CLARIFICATION:

While any food or food product intended for home consumption is generally considered to be eligible for purchase with SNAP benefits, only staple food products are counted toward a retail food store's eligibility to participate in SNAP. Staple foods are generally considered to be basic items of food that make up a significant portion of an individual's diet and are usually prepared at home and consumed as a major component of a meal. On the other hand, accessory food products are generally considered to be food items consumed as snacks or

desserts, as well as food items that complement or supplement meals, such as most beverages and spices.

All food products identified as accessory foods in agency guidance shall not be considered staple foods for the purposes of determining the eligibility of any firm. Any food product that is not specifically identified as an accessory food in Agency guidance shall be considered a staple food in the category of its main ingredient, in accordance with Policy Memorandum 2018-04.

Provided below is guidance for distinguishing between accessory foods and staple foods.

Package Size

Package size has no bearing on whether a food is an accessory food. Therefore, staple foods packaged in single-serving or snack-sized packages are still considered staple foods.

Products Explicitly Identified as Staple Foods

Any food product explicitly identified as a staple food, such as a fresh apple or banana, is not considered an accessory food even if it is sometimes consumed as a snack.

Multiple Ingredient Food Products

Any food product with a main ingredient that is an accessory food is considered an accessory food, and not a staple food. The main ingredient is the first-listed ingredient on the Ingredient list of the food product's package. If the main ingredient is "water," "broth," or "stock," (which are all accessory foods), then the food product is categorized as either a staple or accessory food by the second listed ingredient.

For example, if the main ingredient of a multiple ingredient food item is sugar (an accessory food), then that food item is considered an accessory food. If the main ingredient is water and the second ingredient is sugar, then the food item is likewise considered an accessory food.

Mixed Packaged Food Products

Mixed packaged food products are food items that contain more than one discrete food product, such as salted crackers (an accessory food) and soft cream cheese (a staple food) packaged together. In this case, the food product will be categorized by its main component, as reflected on the package ingredients list. If the main component is an accessory food, then the mixed packaged food product is considered an accessory food; if the main component is a staple food, then it is considered a staple food.

A current list of accessory foods can be found on the SNAP website. If you have questions regarding this memorandum, please contact the Retailer Management and Issuance Branch at RPMDHQ-WEB@fns.usda.gov.

A handwritten signature in black ink, appearing to read "Andrea Gold". The signature is written in a cursive, flowing style.

Andrea Gold
Director
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Supplemental Nutrition Assistance Program