



Food and  
Nutrition  
Service

Retailer Policy and Management Division, SNAP  
RPMD Policy Memorandum 2020-10

1320  
Braddock  
Place  
Alexandria  
VA 22314

**Subject:** **Retailer Eligibility- Need for Access**

**Legislation:** Food and Nutrition Act of 2008, Section 9(a)

**Regulations:** [7 CFR 278.1\(b\)\(6\)](#)

**Rule:** *Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)*  
Proposed - [81 FR 8015](#) (17 February 2016)  
Final - [81 FR 90675](#) (15 December 2016)

**Supersedes:** Policy Memorandum 2018-03, “Retailer Eligibility – Need for Access for Firms that Fail to Meet Criterion A or B”

**Implementation:** Upon Publication

OVERVIEW: Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR § 278.1(b)(6) provide that the Food and Nutrition Service (FNS) must determine if an applicant firm may be authorized to participate in SNAP under “Need for Access” if located in an area with significantly limited access to food and the applicant firm has failed to meet the staple food requirements for eligibility under Criterion A or Criterion B.

This memorandum provides the framework FNS uses to make Need for Access determinations. Need for Access ensures SNAP clients’ access to food is not adversely affected in areas where there is limited food access.

Firms that are not required to meet Criterion A or B (e.g., meal services) do not qualify for authorization under Need for Access.

CLARIFICATION: A firm is eligible and automatically considered for Need for Access if it meets the following conditions:

1. The firm is determined not to be a restaurant;
2. The firm does *not* meet the stocking or sales requirements of Criterion A or

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The contents of this document do not have the force and effect of law and are not meant to bind the public or FNS in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

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- Criterion B; and
3. The firm completes and meets all other SNAP eligibility requirements, including but not limited to, business integrity regulations.

Stage One: FNS will determine if the firm is located in a Low Income (LI)-Low Access (LA) area as defined by the USDA's Economic Research Service (ERS) at 1 (urban) and 10 (rural) miles. Due to their unique food access challenges, all eligible firms located in the State of Alaska or the U.S. territories (i.e., Guam and the U.S. Virgin Islands) will automatically skip to stage two of the process.

- Firms *not* located in or immediately adjacent to an LI-LA shall be denied for failure to meet Criterion A or B and Need for Access requirements.
- Firms located in or immediately adjacent to an LI-LA shall proceed to stage two of this process.

Stage Two: Firms will be evaluated in accordance with an established scoring methodology using the following factors:

- Proximity to meeting Criteria A and B stocking and sales requirements;
- Distance from SNAP authorized supermarkets and other SNAP-authorized stores;
- The vehicle access rate in the area immediately surrounding the firm, per the U.S. Census American Community Service;
- The firm's hours of operation; and
- The history of SNAP violations committed by the applicant owner(s) or at the firm's location.

Firms eligible for authorization under Need for Access shall be authorized for a period of one year. At the end of that year, the firm must be reevaluated for SNAP authorization.

All other firms will be denied for failure to meet Criterion A or B and Need for Access eligibility requirements.

Any questions regarding this policy should be directed to: [SM.FN.RPMDHQ-WEB@usda.gov](mailto:SM.FN.RPMDHQ-WEB@usda.gov).

Shelly Pierce  
Acting Director  
Retailer Policy and Management Division  
Supplemental Nutrition Assistance Program