

SNAP Equal Treatment Waiver Requests

FOR NON-GUSNIP ASSOCIATED INCENTIVE PROGRAMS

Background

FNS explains that “SNAP regulations require that SNAP recipients receive treatment equal to that received by other customers at all stores authorized to participate in SNAP with the exception that sales tax may not be charged on eligible foods purchased with SNAP benefits.”

Because the statutory language of the 2018 Farm Bill requires Gus Schumacher Nutrition Incentive Program (GusNIP), formerly known as FINI, grantees to provide incentives specifically to SNAP households, the SNAP equal treatment provision does not apply to GusNIP grantees for the purpose of providing incentives through a GusNIP grant project. However, **entities that are not GusNIP grantees and are wanting to offer incentives to SNAP participants must apply for an equal treatment waiver.**

How to Request a SNAP Equal Treatment Waiver

What to include in the request

There is no formal template for a waiver request. Requests must include the following:

- The FNS number, name, and address of each participating firm.
- A description of the incentive program, including the following:
 1. The types of foods that will be incentive (e.g. fresh fruits and vegetables);
 2. How the recipients of the incentive will be identified;
 3. If the incentives will be limited to SNAP participants;
 4. How the incentive will be triggered or earned;
 5. How the incentive will be delivered;
 6. How the incentive will be redeemed;
 7. The goal of the incentive initiative;
 8. The program start and end dates; and,
 9. If the store plans to conduct an evaluation of any kind to measure program impact.

How to submit the request

Equal treatment waiver requests must be submitted to the Food and Nutrition Service (FNS) by email to sm.fn.incentiveprogram@usda.gov.

Because some of the information you submit may be proprietary and sensitive, information must be sent in a password protected attachment and the password should be sent through a separate email.

Timeline

Once FNS receives all requested information, they will render a decision to approve or deny within 60 days.

Note: FNS is currently in the process of publishing further guidance regarding the process whereby entities may submit an equal treatment request (as of January 2020).