

Healthy Food Retail: Creating and Enforcing a Policy

Imagine a grocery store where apples, not candy, are sold in checkout aisles, where two-for-one deals are reserved for fruits and vegetables, and the only place you see soda is the beverage aisle.

Grocery stores provide more than 60% of Americans' calories.¹ Nearly a quarter of calories in the average American diet come from products high in saturated fat and added sugars, and we eat significantly fewer fruits, vegetables, and whole grains than recommended.² One reason Americans eat unhealthfully is that grocery stores are designed to induce impulse purchases, often of nutrition-poor foods and beverages, not support healthy options. On average, sugary drinks appear in 25 and unhealthy snacks in 40 different locations in a single grocery store.³ Meanwhile, fresh fruits and vegetables are rarely found outside of the produce section.

Three-quarters of parents report that it is hard to shop at grocery stores because unhealthy food is so prevalent.⁴ Many unhealthy products are marketed directly to children, undermining parents' efforts to feed their families well.

Policies that limit in-store marketing for unhealthy food and beverages and encourage healthier alternatives help to create a food environment that supports public health. Since grocery stores are Americans' —including SNAP recipients'—chief source of food and beverages, policies to improve these stores can have a significant impact on public health.

Creating a Policy

Decisionmakers can pass retail policies to support health:

- Require supermarkets to stock checkout aisles with non-food or healthier options such as fruit, nuts, low- and no-calorie beverages, rather than soda, other sugary drinks, candy, snack cakes, and chips;
- Limit sugary drinks to the soda aisle and perhaps also, candy to the candy aisle;
- Set maximum package sizes for soda, sugary drinks, and candy sold in supermarkets;
- Eliminate manufacturer coupons, two-for-one, and other aggressive price promotions for soda, sugary drinks, and unhealthy foods; and
- Prohibit soda, sugary drinks, candy, and other unhealthy food and beverages from free-standing displays and end-of-aisle shelves.

Consider the following questions:

- What types of products will the policy limit or promote? How will the policy define these products? For example, the policy could define sugary drinks as beverages with any added caloric sweeteners.
- Which stores will the policy impact? How will the policy define those stores? Policies can use a definition in existing regulations, square footage, number of employees, business type, and/or annual revenue.
- What type of in-store practices will the policy limit? Policies can limit placement of unhealthy products in prominent store areas such as checkout, end-of aisle shelves, and displays and/or price discounts.

Jurisdictions may implement healthy food retail policies through a variety of legal mechanisms, including:

<i>Legal Mechanism</i>	<i>Description</i>
<i>Contractual Limits</i>	Eliminate payments, free products, and other incentives that food and beverage manufacturers offer retailers to market unhealthy products.
<i>Licensing</i>	Tailor grocery store licensing provisions to support new or existing businesses that stock, more prominently place, or promote more healthy food and beverages and fewer unhealthy products.
<i>Economic Development Incentives</i>	Offer development incentives (public funding, reduced property taxes, etc.) to retailers that limit placement and promotion of unhealthy food and beverages.
<i>Zoning</i>	Amend local land use ordinances in low food access communities, limiting placement of unhealthy food and beverages in new construction or limit new construction of limited-service stores that lack healthy options.
<i>General Authority</i>	Using general authority over business practices, limit placement and promotion of unhealthy food and beverages in grocery stores.

To support effective and equitable policy adoption and implementation, decision-making should include community members, especially low-income people and communities of color, who are disproportionately impacted by targeted marketing and diet-related diseases. Consider the following questions:

- Are the racial/ethnic and socioeconomic groups affected by the policy at the table?
- Are their voices included in each step of the decision-making process?
- How does each group perceive the proposed policy?
- How would the proposed policy affect each group?
- Would the policy worsen, ignore, or help reduce existing disparities?

Enforcing a Policy

Enforcement is a critical component of the policy process. Healthy food retail policies may be enforced through the following means:

- **Inspections** by county or city sanitarians
 - Inspections may be incorporated into existing retail inspections and/or triggered by complaints from community members.
- **Self-report** by affected businesses on a periodic basis

Consider the following questions:

- Which state or local agency will enforce the policy and how?
 - Could a community organization aid in enforcement? If so, how?
- Do retailers impacted by the policy require technical assistance? Who will provide it?
 - How will retailers be notified about the policy?
- How feasible is it to administer the policy? How much will enforcement cost?
- Are there penalties for non-compliance? Can they be incorporated into existing penalty structures?

For more information or to discuss a healthy retail policy for your community, please contact the Center for Science in the Public Interest at policy@cspinet.org.

¹ Mancino L, Guthrie J. Supermarkets, Schools, and Social Gatherings: Where Supplemental Nutrition Assistance Program and other U.S. Households Acquire their Foods Correlates with Nutritional Quality. Washington, DC: U.S. Department of Agriculture Economic Research Center; 2018.

² Dietary Guidelines for Americans, 2015.

³ Cohen DA et al. Beverage Marketing in Retail Outlets and The Balance Calories Initiative. *Prev Med*. 2018;115:1-7.

⁴ Checkout Polling: Online Survey of 1,024 adults. Princeton, NJ: Caravan ORC International, December 1-4, 2016.