

PUBLIC POLICY AND THE GROCERY STORE: IMPROVING ACCESS TO HEALTHY FOOD



A TOOLKIT FOR ADVOCATES



CENTER FOR
Science in the
Public Interest



ACKNOWLEDGEMENTS

Thank you to Karen Gardner, Sara John, Claudia Malloy, Ashley Hickson, Emily Friedman, Noelle Battle, James Kincheloe, Jacob Multer, and Lisa Flores for their contributions to this toolkit.

CONTENTS

| | |
|------------------------------------|----|
| INTRODUCTION | 3 |
| POLICY EXAMPLES | 7 |
| IMPLEMENTATION AND ENFORCEMENT | 13 |
| FREQUENTLY ASKED QUESTIONS | 15 |
| ABOUT CSPI AND CONTACT INFORMATION | 17 |

INTRODUCTION

ABOUT THIS TOOLKIT

For more than 50 years, CSPI has been an influential force in the fight for a better food system. We are committed to partnering with communities, organizations, and individuals as they explore and enact innovative policies at the local, state, and federal level that advance a just and equitable food environment. CSPI leverages our unique expertise to support passing policies that increase access to nutritious food, support healthy food and beverage choices, and ensure a healthy diet.



A crucial part of this work is helping to build the capacity of our partners and other community-based organizations around the country. To this end, we have developed policy toolkits for CSPI's priority issue areas, including the one you have here. These toolkits are living documents designed to support your advocacy, whether you're a seasoned pro looking for the latest research or brand new to this issue and trying to figure out where to begin. We've structured this toolkit as a roadmap to guide your campaign with academic research, case studies, model policies, messaging guidance, and other resources you may need. Included throughout are links to additional resources, developed by CSPI and by our partners, for your deeper learning. We also invite you to explore CSPI's [Resource Hub](#) and [Resource Library](#) for more tools that you may find useful.

This toolkit is specifically designed to support your efforts to improve the retail food environment in your community through policy interventions at the state and local level.

While this toolkit is focused on state and local policy change, CSPI's Healthy Retail team also leads corporate campaigns, working with grocery chains across the country to make ambitious and sustainable changes to their business models that improve the availability and affordability of nutritious food in their stores. We work to encourage and amplify innovative ideas and hold companies accountable when they fall short of customer expectations. If you'd like to learn more about our corporate campaigns, get in touch with Sara John (sjohn@cspinet.org).

RESEARCH SPOTLIGHT

A National Research Agenda to Support Healthy Eating Through Retail Strategies

Healthy Eating Research (HER), Center for Science in the Public Interest (CSPI), Johns Hopkins Bloomberg School of Public Health, and The Food Trust developed the first national research agenda focused on healthy food retail. This national research agenda outlines key research questions aiming to better understand current food retail practices and consumer behaviors and aims to identify potential retail strategies to support healthy eating while reflecting advancements in research and changes in the food retail landscape.

ABOUT HEALTHY RETAIL

Eating a healthy diet—one that is rich in fruits, vegetables, and whole grains, and low in saturated fat, salt, and added sugar—is linked to a lower risk of cardiovascular disease, type 2 diabetes, certain cancers, and other health conditions.¹ Three-quarters of Americans' calories come from supermarkets, dollar stores, and small food stores.² We can only eat healthfully when healthy options are available and affordable where we shop and live. Unfortunately, where food is located within the supermarket and where supermarkets are located within communities are determined by supermarket profits, not public health.

KEY TERMS

CHECKOUT AISLE: Area where shoppers stand in line to purchase their groceries

ENDCAPS: Product displays at the ends of supermarket aisles

INSIDE THE GROCERY STORE

Food and beverage manufacturers pay grocery stores large amounts of money to promote and place their products where customers are more likely to see them, such as in the checkout aisles, on endcaps, or in freestanding displays.³ These prominent places in the supermarket (where consumers are most likely to make impulse purchases) more often display unhealthy items.⁴ For example, a recent pilot study in the Washington, D.C. metropolitan area found sugar-sweetened beverages (like soda, sports drinks, sweetened teas, and juice drinks) in an average of 30 locations within one grocery store.⁵ In contrast, fresh fruits and vegetables are rarely found outside of the produce section.

The constant marketing of unhealthy foods is the opposite of what customers want. In a recent nationally representative survey, 82% of shoppers desired a healthier grocery shopping experience.⁶ And parents want to feed their families well – more than half of parents who shop with their children say it's hard to shop at the grocery store because there is so much junk food.⁷ Public policy can change the status quo by compelling supermarkets to place healthy products and limit unhealthy products in high-traffic areas.



RESOURCE

[How Grocery Store Agreements Impact Public Health](#)

This resource demonstrates the public health impacts of deals that manufacturers make with grocery store chains which determine where many foods and beverages are placed within stores.

BEYOND THE GROCERY STORE

Access to grocery stores is unequally distributed in communities across the United States.⁸ Black and Latine communities disproportionately lack access to healthy food retailers.⁹ Inequities in the retail food environment were created by discriminatory redlining practices, including residential redlining.¹⁰

Public policy can improve the availability and affordability of healthy foods in communities burdened by food insecurity, residents of rural areas, and other populations experiencing food system challenges. Examples include compelling non-traditional stores that may be serving as communities' grocery stores (such as dollar stores) to offer a wide variety of affordable staple foods and produce,¹¹ incentivizing supermarkets to locate in communities without a full-service grocery store,¹² and limiting grocery chains from participating in policies that unnecessarily suppress competition from other grocery stores.¹³

A NOTE ON EQUITY:

CSPI is committed to working against the longstanding structural barriers to the health of people who are unjustly burdened due to their race, ethnicity, gender identity, class, sexual orientation, and/or other characteristics. As an advocacy and science-based organization, we are uniquely equipped to provide evidence-based policy recommendations that have the potential for large impact. We also know that policy solutions will only be successful in countering structural inequality if they are co-created with those most affected by the policies proposed. We are early in our journey in examining the structure and implementation of such policies in retail settings. Therefore, the best work we do is that which shifts policy-making power to communities whose health and wellbeing have been most affected by structural racism and inequity.

RESOURCE

[Food Access Policy Change through Authentic Resident Engagement](#)

This definition, self-assessment tool, and webinar from [The Healthy Food Policy Project](#), in partnership with Praxis, can help advocates work toward authentic resident engagement in the policy development process.

If you are an advocate, retailer, or health department and would like technical assistance with introducing and implementing healthy retail policies in your community, please contact policy@cspinet.org.

For more information about our healthy retail efforts, please sign up for our [action network](#) and follow us on [Facebook](#) and [Twitter](#).



POLICY EXAMPLES

INSIDE THE GROCERY STORE

Policies affecting healthy food accessibility within grocery stores

HEALTHY CHECKOUT

Most people want to get in and out of the grocery store as quickly as possible. And sometimes when we're in a rush, convenience overrides our best judgement. Changing where different categories of food are located within supermarkets to make healthier choices easier for consumers can have a meaningful impact on public health.^{14, 15, 16}

Healthy checkout refers to efforts to improve the nutritional quality of the food and beverage items sold in areas where shoppers stand in line to purchase their groceries. It is a strategy that changes the shopping environment to make it easier for customers and their children to avoid both marketing and impulse purchases of drinks and snacks that are high in sugar and salt.

In polling of American shoppers in 2021, 70% consider healthier checkout a benefit to their shopping experience.¹⁷ More than three quarters of parents who shop with their kids would switch from their regular grocery store to a store that offered this type of checkout lane.¹⁸

CASE STUDY & ROADMAP

HEALTHY CHECKOUT IN BERKELEY, CA

[Bay Area Community Resources](#) led a coalition which successfully advocated for the passage of a Healthy Checkout policy, in Berkeley, CA.

Press release: [Berkeley City Council Approves Nation's First Healthy Checkout Policy](#)

As the nation's first policy requiring grocery stores to offer more nutritious food and beverages in the checkout aisle, the policy was groundbreaking and is currently being evaluated by researchers.

[Berkeley Healthy Checkout Case Study and Roadmap](#)

This roadmap tells the story of what happened in Berkeley during three years of organizing, data collection, and advocacy that led up to policy passage. It highlights key questions to consider, steps to take, and resources that can be tailored for your community's campaign.



KEEP SODA IN THE SODA AISLE

Frequent consumption of sugar-sweetened beverages is linked to diabetes, heart disease, and tooth decay,¹⁹ yet soda and other sugary beverages can be found all around us at the grocery store—in 30 locations on average.²⁰

Customers repeatedly share that they want their grocery stores to keep soda in the soda aisle. In nationally representative polling, over two-thirds of respondents said that they believe grocery stores should do more to make it easier for people to eat healthfully.²¹ In the same poll, 77% of parents said they would switch from their regular grocery store to a store that stocked sugary drinks in only one place.²²

A *Keep Soda in the Soda Aisle* policy compels supermarkets to limit soda and sugary drinks to a designated soda aisle and replace them with healthier alternatives, like water and seltzer, in locations outside of the soda aisle, such as on endcaps, in checkout aisles, and in free-standing displays.



RESOURCE

Grocery Stores Awash in Sugary Drink Placements, Report Finds

A pilot study of sugary drink placement and promotion was conducted in the Washington, DC area in 2019, investigating the placement and promotion of sugary drinks across 16 grocery stores. The purpose of this pilot study was to understand how many times shoppers can encounter sugary drink placements or promotions in a grocery store.

Food and beverage manufacturers spend large amounts of money to market their products, including sugar-sweetened beverages, in prominent places in grocery stores and supermarkets.²³ This is a powerful marketing tool that can contribute to greater consumption of sugar-sweetened beverages—the top source of added sugar in Americans' diets²⁴—and associated chronic disease. Overall, the report found that the number of sugary drink placements and price promotions increased with store size.

RESOURCE

HEALTHY RETAIL MODEL ORDINANCE

CSPI has developed two healthy retail model ordinances. The first ordinance creates healthy checkout aisles. The second ordinance keeps soda in the aisle rather than the checkout and numerous other locations in grocery stores. These policies can be modified to meet your locality's unique needs, but please note that changes should be made with guidance from a lawyer.



VIDEO

[Consumers Want Healthier Grocery Stores](#)

This video summarizes the results of national polling conducted in 2021 on consumer attitudes about the retail food environment.



VIDEO

[Healthy Grocery Stores Sustain Families](#)

This video focuses on the manufacturer agreements that influence the layout of the grocery store and promote less nutritious items.

BEYOND THE GROCERY STORE

Policies affecting the accessibility of healthy food within communities

DOLLAR STORES

Dollar General and Dollar Tree (which also owns Family Dollar) collectively operate nearly 35,000 stores across the country — more than the top 10 largest supermarket chains combined.²⁵ In 2019, Dollar General's food sales exceeded \$27.7 billion.²⁶ In a 2021 national survey of dollar store shoppers, 42% of food-insecure consumers indicated that they purchase a significant portion of their groceries from dollar stores.²⁷ However, compared to grocery stores, dollar stores often offer limited healthy options, such as fresh fruits and vegetables.²⁸

Policymakers, advocates, and communities across the country are working to improve access to nutritious foods and beverages by advocating for policies that ensure dollar stores stock more healthy options or that limit the number of dollar stores within specific geographic areas. These policies respond to concerns that dollar stores may be disincentivizing full-service grocery stores from staying or moving in, while providing residents with insufficient healthy options.

Policies already implemented include temporarily stopping the opening of any new dollar stores within a geographic area or banning new construction of dollar stores within a specific distance from an existing dollar store.²⁹ A policy in Fort Worth, Texas included a special exemption which allows for consideration of new dollar stores by City Council if 10% or more of the store's floor space is dedicated to fresh produce, meat, and dairy products.³⁰ In Birmingham, Alabama, dollar store regulations are incorporated within a healthy food overlay district*.³¹



RESOURCE

[Survey finds that customers want healthier options at dollar stores](#)

CSPI conducted a national study to find out how shoppers with limited resources use and view dollar stores and to identify opportunities for dollar stores to improve the health of their customers and communities. We found that many low-resourced consumers rely on dollar stores to help stretch their monthly grocery budget. Additionally, these shoppers have indicated that they want healthier options from dollar stores in their communities.

*An overlay district or zone is an area where additional and/or stricter zoning standards are enforced.

HEALTHY FOOD FINANCING

Research indicates that living in a community with limited access to healthy food could increase the risk of diet-related diseases.³² Legislation that establishes or redirects funds to incentivize grocery stores or supermarkets to open in neighborhoods without a full-service grocery store (through grants, tax breaks, or other measures) is often referred to as healthy food financing. Research has shown that opening grocery stores in communities that previously lacked a full-service grocery increases healthy food availability.^{33, 34} However, evidence on how healthy food financing impacts diet and health is mixed so more research is needed.^{35, 36}

RESOURCE

[Planning Tools to Increase Access to Healthy Food](#)

This resource, from the Healthy Food Policy Project, discusses how community planners can use existing and innovative tools to support and build local and regional food systems with a goal of increasing access to healthy food.

RESTRICTIVE COVENANTS

Restrictive covenants (legal provisions that can be inserted into deeds and lease agreements to dictate how a piece of land is used, either for a specific period or indefinitely)³⁷ have been utilized by grocery chains to limit competition for customers within a community.^{38, 39} Essentially, this means that a grocery store can leave a location and prohibit other grocery stores from moving into the building or piece of land they moved out of, even if

they no longer own the land or building. This can increase the profits of the grocery chain (if they want those former customers to go to one of their nearby stores) and limit customers' access to grocery stores. In an effort to increase access to nutritious foods, some cities (such as Washington, DC⁴⁰ and Bellingham, WA⁴¹) have limited supermarket chains' ability to put in place restrictive covenants.



EMERGING ISSUE

ONLINE RETAIL POLICY

Over 20% of grocery sales are predicted to be from online shopping by 2026.⁴² This transition presents opportunities to improve food access, especially among those who are elderly, have disabilities, or live in communities with limited access to grocery stores. As grocery sales migrate online, marketing is also migrating, influencing online grocery shoppers' purchases and health. Research in 2022 found that a majority (62%) of products marketed through top online grocery retailers were of poor nutritional quality and that candy, sweets, and snacks were the most frequently marketed products.⁴³

Additionally, minimum purchase requirements and fees are widely used by online grocery retailers, which could limit low-income shoppers' access to healthy, affordable groceries.⁴⁴ Evidence suggest that retailers are not clearly and consistently displaying Nutrition Facts Labels on their online stores, decreasing customers' ability to make healthy choices when shopping for groceries online.⁴⁵

As more customers shop for groceries online, innovative policy will be essential for ensuring that online grocery websites promote healthy, not unhealthy, eating.

Learn more in the [Scroll and Shop Report](#), which evaluates the practices of six national retailers operating in Washington, DC. The results showed that more than half of food and beverage promotions on online retailers' homepages and search result pages were for unhealthy products, and more than three-quarters of the food and beverage related emails that retailers sent promoted unhealthy products.

Featured Items



\$5.49 ~~\$6.49~~
Kinder Bueno Mini
Share Pack - 5.7 Oz
(\$0.96 / Ounce) Sponsored



\$6.99
Haagen-Dazs White
Chocolate Raspberry Swirl
Ice Cream - 14 Oz
(\$0.50 / Fl.oz) Sponsored



\$5.99
Nerds Gummy Cluster
Very Berry 8 Ounce
Sub - 8 Oz
(\$0.75 / Ounce) Sponsored

**62% OF
PRODUCTS MARKETED
THROUGH TOP ONLINE
GROCERY RETAILERS
WERE OF POOR
NUTRITIONAL QUALITY**

→ **CANDY, SWEETS,
AND SNACKS
WERE THE MOST FREQUENTLY
MARKETED PRODUCTS**



IMPLEMENTATION & ENFORCEMENT

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 state, 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 could 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?
- What might be the consequences of enforcement? Would implementation reduce or increase harm to people most affected by health inequities?

RESOURCE

[Drafting Definitions in Local Healthy Food Access Policies](#)

This resource, from the Healthy Food Policy Project, provides common definitions, terms, and recommended practices for drafting local legislation aiming to increase healthy food access.

A NOTE ON IMPLEMENTATION:

At the start of a campaign, it's important to have a basic understanding of which governing authority enforces grocery store code. CSPI can help!

However, it's also essential not to get too bogged down in implementation or the details of who will enforce a policy during discussions with policymakers (such as city councilmembers, state legislators, agency staff, or city staff members). As voices for public health, advocates amplify the needs of their communities, bringing demands for a healthier retail environment to policy makers. It is not advocates' responsibility to know every detail of grocery store management, code enforcement, or all the administrative details that will go in to enforcing a healthy retail policy. We recommend instead focusing on the reasons that community members are demanding policy change.



FREQUENTLY ASKED QUESTIONS

Q Why pass public policy instead of relying on voluntary corporate policies?

A Successful policy passage ensures that every retailer complies with the policy parameters. While pilots or voluntary corporate policies are meaningful, they do not lead to sustained change across a large geographic region. Voluntary policies can lead to inequitable enforcement, as stores in more affluent communities within the same area may be more likely to comply with a voluntary policy. To ensure equitable compliance of all retailers within a specific geographic boundary, policy change is needed.

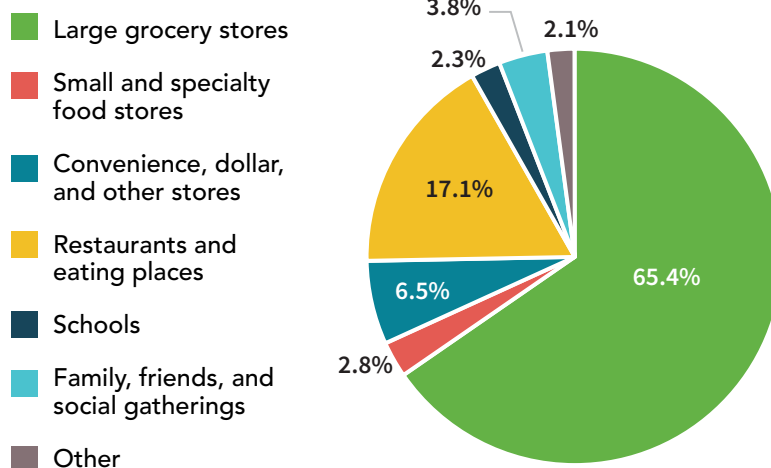
Q Why pass a state or local policy?

A Passing state and/or local laws not only help improve food retail where you live, but they can also help advance healthy retail priorities at the national level. Local and state policy often serves as a model for federal policies. Also, having numerous state or local laws, all with varying provisions, can help bring the food retail industry along at the national level, preferring to adopt voluntary corporate policies that meet the most stringent policies rather than crafting various corporate policies to fit a patchwork of state or local standards.

Q Why focus on supermarkets or large grocery stores rather than smaller format stores?

A Almost two-thirds of Americans' calories come from large grocery stores (see figure below).⁴⁶ Additionally, supermarkets and superstores redeem nearly 80% of SNAP benefits.⁴⁷ Therefore, policies primarily focused on the largest food retailers where Americans do most of their grocery shopping have the greatest potential public health impact.

Share of Household Calories by Food Source



Note: "Other" includes food from work, food banks, Meals on Wheels, and own production (gardening, hunting, and fishing). Source: USDA, Economic Research Services estimates using data from USDA's 2012-2013 National Household Food Acquisition and Purchase Survey (FoodAPS).



Do healthy retail policies take agency away from consumers?



No. Consumers want healthier grocery stores. A 2021 poll of U.S. adults found that 73% think grocery stores should do more to make it easier for people to eat healthfully and 81% would prefer to shop at a grocery store that offered promotions and sales on healthier items rather than unhealthy items.⁴⁸ Meanwhile, giant processed food manufacturers pay billions each year for the power to plan grocery store layouts.⁴⁹ This can allow them to specify how and where their products and their competitors' products are displayed.

It's not that shoppers can't make healthy choices in a grocery store, it's that (in many cases) we are being pushed towards unhealthy options. Big food manufacturers are pulling the strings to maximize their own profitability. That sabotages our efforts to eat healthier. Policies requiring grocery stores to promote healthier options don't take agency away from consumers; they return it to consumers.



Are healthy retail policies feasible?



Yes. Several major retailers and producers are already voluntarily complying with healthy retail measures across the country. For example, Ahold Delhaize USA, which owns Stop & Shop, FreshDirect, Giant, and other large grocery chains, committed to increasing sales of healthy foods across their banners.⁵⁰ ALDI began introducing healthier checkout lanes in its stores in 2016.⁵¹ In 2016, Raley's eliminated sugar-sweetened soda at the register and pledged to reduce candy at checkout aisles by 25%.⁵²

While the agreements that major retailers sign with manufacturers are often multi-year contracts, policy change gives retailers leverage to renegotiate these contracts. Policies can also be written with a considerable runway (time between legislative passage and implementation) to give retailers time to renegotiate these contracts.

Finally, major manufacturers almost always sell a variety of foods and beverages, such that healthier products from the same companies can replace the restricted products in key locations (such as at checkout or on endcaps).

Nationwide, advocates and policymakers are increasingly asking retailers to consider nutritional value in their corporate decisions. For example, the Biden-Harris National Strategy on Hunger, Nutrition, and Health included "redesign stores to more prominently place healthier choices, and market and stock healthier items" as a key call to action.⁵³

ABOUT CSPI

The Center for Science in the Public Interest envisions a healthy population with reduced impact and burden of preventable diseases and an equitable food system that makes healthy, sustainable food accessible to all. CSPI values independence, scientific rigor, and transparency.

If you have any general questions related to this toolkit or healthy retail, please contact Dr. Sara John, Senior Policy Scientist, at sjohn@cspinet.org or Karen Gardner, Senior Policy Associate, at kgardner@cspinet.org.

www.cspinet.org

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