



JUN 08 2016

Food and
Nutrition
Service

Park Office
Center

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Alexandria
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Ms. Bethany Hamm
SNAP Director
Maine Department of Health and Families
Office of Family Independence
19 Union Street
#11 State House Station
Augusta, Maine 04333-0011

Dear Ms. Hamm:

Thank you for your March 9, 2016, response to the Food and Nutrition Service (FNS) questions about Maine's sugar-sweetened beverage/candy demonstration waiver request. We appreciate the detailed and specific responses to our questions. However, we continue to have significant concerns relative to the evaluation.

While Maine has proposed a thorough process evaluation to document how the restriction was implemented by both the State and retailers, the proposed impact evaluation is not adequate to provide sufficient assurance of credible, meaningful results with respect to the consumption of sweetened beverages or candy or the impacts on obesity or other weight-related diseases. There are several key issues with the evaluation:

- Since the restriction would be implemented statewide, the study design does not have a counterfactual to show what would have happened in the absence of the restriction.
- There is no pre- and post-implementation data collection to compare SNAP household purchases before and during the demonstration. The data will be collected through retrospective surveys at one month and six months after implementation asking participants if their food purchases changed during the demonstration.
- The impact evaluation relies on SNAP participants accurately reporting, in retrospect, how their purchases of sweetened beverage and candy have changed during the demonstration. Self-reported data is subject to bias as respondents may not remember their purchases six months ago or may be influenced by the statewide restriction and accompanying messaging.

It is possible that some of these concerns could be addressed by obtaining retailer data from a significant portion of SNAP-authorized stores to analyze item-level purchases to determine if households use cash or other tender to purchase sweetened beverages and candy when making a SNAP EBT purchase.

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This would also require obtaining item-level purchase data for SNAP households when an EBT card is not used in the transaction. Maine doubted that small retailers would be able to provide this data, but was hopeful that large chains will cooperate and provide this data. However, the waiver request does not indicate that Maine has agreement from any retailers, or has even begun conversations with retailers about obtaining this data. The absence of retailer data in the evaluation plan significantly limits the feasibility of determining the impact of the restriction on consumption patterns or health outcomes for SNAP participants in Maine.

Should you have clarifying details or more information relative to these key evaluation issues, please do not hesitate to contact me.

We would note again that FNS appreciates Maine's desire to address proactively obesity. There is no question that the obesity epidemic in America, especially among our children, is a national health crisis, with obesity estimated to cost almost \$150 billion in direct medical costs. The Administration has recognized and responded to this crisis with unprecedented action. The President's Task Force on Childhood Obesity developed a comprehensive set of recommendations, including improved access to healthy and affordable food, significant changes to the school meals and the school nutrition environment, and increased opportunities for physical activity. The Healthy, Hunger-Free Kids Act of 2010 put the Nation on the right path, for the first time in decades, to make real improvements to food served at school and child care settings. USDA has increased the opportunities for SNAP participants to make healthy purchases at farmers' markets, launched Food Insecurity Nutrition Incentive grants to increase the purchase healthy foods, and restructured SNAP nutrition education to focus more tightly on evidence-based and outcome driven strategies that prevent obesity.

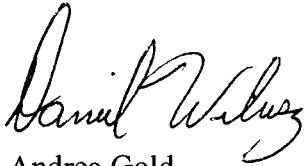
We also appreciate your interest in pursuing innovative approaches to promote healthful diets and healthy weight. Given the challenges in developing a comprehensive and robust evaluation, we might suggest that Maine consider alternatives such as restrictions, limits, or disincentives on purchases on a demonstration basis that can be applied equitably to SNAP participants and other consumers.

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In addition to these evaluation challenges, we must also note that, given the many other challenges Maine currently faces, including the advanced warning due to chronic timeliness problems, media reports indicating that the State is dealing with a backlog of claims for State-caused errors totaling approximately \$2 million, staffing issues and other general Program issues, at this time, FNS would need to take these into consideration before agreeing to move forward with such a demanding demonstration project.

We stand ready to further discuss all these items you consider next steps.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Wilusz". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

for Andrea Gold
Director
Retailer Policy and Management Division