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# 7 U.S. Code § 2018

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## Approval of retail food stores and wholesale food concerns

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### **(a) Authorization to accept and redeem benefits**

#### **(1) Applications. —**

##### **(A) In general. —**

Regulations issued pursuant to this chapter shall provide for the submission of applications for approval by retail food stores and wholesale food concerns which desire to be authorized to accept and redeem benefits under the supplemental nutrition assistance program and for the approval of those applicants whose participation will effectuate the purposes of the supplemental nutrition assistance program.

**(B) Factors for consideration. —** In determining the qualifications of applicants, there shall be considered among such other factors as may be appropriate, the following:

- (i) the nature and extent of the food business conducted by the applicant;
- (ii) the volume of benefit transactions which may reasonably be expected to be conducted by the applicant food store or wholesale food concern;
- (iii) whether the applicant is located in an area with significantly limited access to food;
- (iv) any information, if available, about the ability of the anticipated or existing electronic benefit transfer equipment and service provider of the applicant to provide sufficient information through the electronic benefit transfer system to minimize the risk of fraudulent transactions; and
- (v) the business integrity and reputation of the applicant.

##### **(C) Certificate. —**

Approval of an applicant shall be evidenced by the issuance to such applicant of a nontransferable certificate of approval.

##### **(D) Visit required. —**

No retail food store or wholesale food concern of a type determined by the Secretary, based on factors that include size, location, and type of items sold, shall be approved to be authorized or reauthorized for participation in the supplemental nutrition assistance program unless an authorized employee of the Department of Agriculture, a designee of the Secretary, or, if practicable, an official of the State or local government designated by the Secretary has visited the store or concern for the purpose of determining whether the store or concern should be approved or reauthorized, as appropriate.

#### **(2) The Secretary shall issue regulations providing for —**

- (A) the periodic reauthorization of retail food stores and wholesale food concerns; and
- (B) periodic notice to participating retail food stores and wholesale food concerns of the definitions of “retail food store”, “staple foods”, “eligible foods”, and “perishable foods”.

#### **(3) Authorization periods. —**

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The Secretary shall establish specific time periods during which authorization to accept and redeem benefits shall be valid under the supplemental nutrition assistance program.

**(4)Electronic benefit transfer equipment and service providers .—**

Before implementing clause (iv) of paragraph (1)(B), the Secretary shall issue guidance for retail food stores on how to select electronic benefit transfer equipment and service providers that are able to meet the requirements of that clause.

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