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# ROBERT BROOKS

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STATE REPRESENTATIVE • 60<sup>TH</sup> ASSEMBLY DISTRICT

## Representative Rob Brooks Hearing Testimony

Wisconsin State Assembly

### Wisconsin FoodShare Reform Act, AB 177

#### Assembly Committee on Public Benefit Reform

Chairman, Born, vice-chairman Kapenga and members of the Committee on Public Benefit Reform: It is an honor to testify before you today on the Wisconsin FoodShare Reform Act. I very much look forward to defending the merits and core tenets of this legislation, and answering any questions that you might have.

**First a little history on the program itself:** The Food Stamp program commenced in 1964 as a \$75 million “limited” program designed to aid 350,000 of the neediest individuals in the United States. Fifty-one years later, it has ballooned into a nearly \$80 billion program used by more than forty-seven million people, amounting to one-in-seven people in the United States.

According to the Legislative Reference Bureau, Wisconsin spent \$1.2 billion in fiscal years (2013-2015) on the food stamp program and the cost has more than doubled in the last four years.

In June 2014, more than 840,000 individuals, representing fifteen percent of Wisconsin’s total population, resided in a household that received FoodShare benefits. Of these individuals, 59% are adults and 41% are minors.

33% of recipient families have at least one person in the household working. The average family earned income of recipient families is \$1,234, a slight increase from March 2015. Thirty-nine percent of those enrolled in the program are employed. A total of \$89.8 million in FoodShare benefits were issued for April 2015. The average issuance per month is \$215.

**AB 177** is a redraft of AB110 which passed with overwhelming bipartisan support last session, sixty-eight to twenty-four.

In essence, this legislation seeks to apply federal WIC standards to the Wisconsin FoodShare program, so as to provide supplemental nutritional assistance in a cost effective manner. After all that is the intended purpose of the program as indicated by its title (SNAP) which stands for



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supplemental nutritional assistance program. Quoting from the Jan 2015 Legislative Fiscal Bureau papers on page 4

“The maximum monthly benefit varies by household size and is generally based on the cost of the USDA “thrifty food plan” a model market basket of foods intended to provide adequate nutrition at a low cost.”

Simply put this legislation is providing rules that will more closely align the program with it’s intended use.

Under this legislation, the Wisconsin Department of Health Services (DHS) must apply for a Federal waiver to implement the following reforms: First, that not less than sixty-seven percent of the Supplemental Nutritional Assistance Program benefits provided be used to purchase foods that are contained on the Federal WIC list, a supplemental nutrition program for women, infants and children. This bill also adds beef, pork; chicken; fish, potatoes and fresh produce to their options. Second, the remaining one-third of their benefits could be used without restriction on any existing items currently eligible under the FoodShare program, excluding shell fish.

Currently, there are virtually no limitations on the use of FoodShare benefits aside from a prohibition on alcohol, tobacco, paper products and pet food.

## **Conclusion:**

None of us in this room want to tell people what they can and cannot eat, but when we are talking about a government subsidy that has an intended purpose—to provide nutritional benefits to those in need—I am fine with saying this is what we are providing and this is what it is meant to be used for. The money should be used strictly for that purpose.

As stated at the outset of my remarks, the purpose of AB 177 is to provide supplemental nutritional assistance in a cost effective manner. I believe the best way to achieve these goals is by applying the federal WIC standards to Wisconsin’s FoodShare program and allowing the addition of pork, chicken, beef and fresh produce.

AB 177 is straightforward, makes sense and is good public policy. As such, I urge the members of this committee and my colleagues in the legislature to support this healthy lifestyles initiative.



# JANEL BRANDTJEN

STATE REPRESENTATIVE • 22<sup>ND</sup> ASSEMBLY DISTRICT

Dear Chairman Born and Committee Members, thank you for holding this public hearing on AB 177. I'd like to also thank Representative Brooks for allowing me to be a part of this most important issue and Senator Stroebel for introducing the bill in the Senate.

We are all aware, on both sides of the aisle how precious and scarce resources are in today's economic environment. As we struggle to find money to properly fund our schools, programs for seniors and working families, especially those with disabled family members, it is our absolute duty to make sure that the programs we finance with tax dollars collected from Wisconsin's hard working families are spent wisely.

AB 177 will provide oversight to the foodshare program allowing families in need of temporary assistance to purchase food items that will provide a balanced diet including meats, vegetables, grains and dairy products. The foodshare program in Wisconsin provides assistance to over 840,000 people. It is imperative that we make sure to protect the integrity of the program. The purpose is to provide nourishing food for struggling families, nothing more and nothing less. The program is not intended to punish or reward. AB 177 helps families maintain a healthy diet.

Right now a family of four can get up to \$649 per month to provide food for their families. Under current law, the head of the household can spend the entire amount on non-nutritional items. According to the Centers for Disease Control (CDC) childhood obesity in children ages two to nineteen years old remains high at 17%. We in the legislature have an obligation to make sure hard earned tax dollars are spent appropriately. While I'm confident that most families do not abuse the program, this bill assures that 67% of the food share dollars provided to families are spent on nutritious foods including meats, vegetables and dairy products. The families who already make nutritious purchases will not notice a change.

The bill prohibits the purchase of lobster, crab, shrimp and other high price items. These items are what we working moms call "budget busters". There is such a thing as opportunity cost, a \$100 spent on 4 lobster tails could buy a lot of pork chops. Since taxpayers provide the dollars for the program, they have a right to expect participants to make reasonable nutritious purchases.

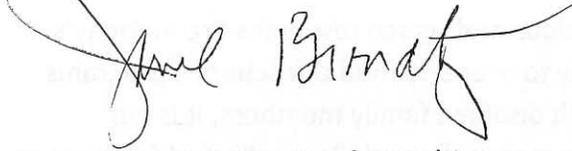
First Lady Michele Obama said "If I want to help my brain come to fruition, I'm going to have to feed it with quality nutrition. We love cookies, but they aren't sufficient. We need veggies to

make our bodies efficient.” This bill sets quality guidelines for families as they strive to be independent as defined by our First Lady.

In closing I would like to add that the blend of foods allowed under this bill reflects the same mix of groceries that the average working family in Wisconsin would buy.

Thank you again for allowing me the opportunity to testify today on behalf of Assembly Bill 177.

Sincerely,



State Representative Janel Brandtjen



WISCONSIN BOARD FOR PEOPLE  
WITH DEVELOPMENTAL DISABILITIES

April 29, 2015

Assembly Public Benefits Reform Committee  
Representative Mark Born, Chair  
State Capitol, Room 312 North  
Madison, WI 53708

Dear Representative Born and members of the committee:

Thank you for the opportunity to provide comment on AB 177 and AB 191.

BPDD is Wisconsin's state Developmental Disability council. Our role is to seek continuous improvement across all systems—education, transportation, health care, employment, etc.—that touch the lives of people with disabilities. Our work requires us to have a long-term vision of public policy that not only sees current systems as they are, but how these systems could be made better for current and future generations of people with disabilities.

### **Foods purchased with FoodShare (AB 177)**

People with physical, intellectual/developmental, and mental health disabilities often are participants in Wisconsin's Elderly Blind and Disabled Medicaid health insurance (BadgerCare, SeniorCare) or long term care (Family Care, Family Care Partnership, and IRIS) programs. Income at or below 100% of the Federal Poverty Level (\$11,770 annual income for an individual) and an asset limit of \$2000 is threshold for eligibility for Medicaid these programs; 100% FPL is also the income threshold to qualify for FoodShare. Many people with disabilities in Medicaid programs are also FoodShare recipients.

Changes to the FoodShare program that may restrict the types and amounts of items that are allowable purchases may be particularly burdensome for people with disabilities. The Wisconsin Women Infants and Children (WIC) list was designed to meet the dietary needs for pregnant women, infants, and children under 5. The demographic used to create the WIC list does not match the dietary needs of the vast majority of adults with disabilities using FoodShare.

Currently, this bill does not include any exemptions for special dietary needs associated with medical issues. A variety of conditions or symptoms may be managed through diet—PKU disorder, diabetes, epilepsy, lactose or gluten intolerance, diverticulitis, etc. The WIC list is not expansive enough to accommodate these needs.

Access to stores that have items from the WIC list is disproportionately challenging for people with disabilities. Many residential areas do not have a grocery store that can be accessed without use of a vehicle<sup>1</sup>. Even in areas where grocery stores are in close proximity, mobility limitations and accessibility issues can pose insurmountable barriers to getting to places that sell most foods on the WIC list. In some places, the closest food source might be a convenience store which may have few WIC list food options that 67% of an individual's FoodShare budget must be spent on under this bill.

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<sup>1</sup> Transportation is consistently identified as the number one challenge impacting independent living by people with disabilities. Many people with disabilities do not drive or have access to a reliable and accessible public transportation source.

The ability to access grocery stores or other stores where food is sold may be dependent on family or caregiver schedules or the availability of Medicaid or state/county ride programs that can accommodate accessibility needs.<sup>2</sup> Limits on the number of rides and requirements to schedule rides well in advance—at least 24 hours—further restrict transportation options and flexibility. In a recent BPDD survey, 75% of people with disabilities said limited access to transportation impacted their ability to shop at local businesses. 64% said transportation is limited on evenings and weekends. 34% said rides are often canceled or don't come on time. These factors further complicate an individual's ability to reliably access and proportionally budget available food choices in accordance with requirements under this proposal.

In addition, understanding and tracking which foods can be bought at a given time—both knowing the WIC list and the ability continually categorize whether foods belong in the 67% WIC items or the 33% allowable non-WIC items—is challenging, and more so for people using FoodShare who have intellectual disabilities. Under this bill, BPDD is unclear what happens if a FoodShare user buys something that is not on the WIC list once they have exceeded the 33% allotment of non-WIC list foods. We are also unclear what entity tracks individual FoodShare purchases and enforces program requirements.

People with disabilities using FoodShare are familiar with the current program; changes will need to be clearly communicated. Communications from DHS on FoodShare program requirements will need to be tested with diverse participants, and converted to appropriate mediums and formats. People with disabilities using FoodShare may not have access to the internet, use adaptive or responsive technology, or may be non-readers.

## Drug Testing (FoodShare, AB 191)

Federal and state law exempts people from the Food Stamp Employment Training (FSET) program who do not meet the definition of able-bodied,<sup>3</sup> or are meeting work requirements under Title IV of the Social Security Act.

Many people with disabilities who have received disability determinacies under Social Security Insurance (SSI) or Social Security Disability Insurance (SSDI), who are in Medicaid funded long-term care programs, who are participating in Social Security or Medicaid work incentive programs, would be exempt from FSET either because they do not meet the definition of "able-bodied" or they are working.

However, primarily within Medicaid funded Badgercare, there are several distinct subpopulations of people with disabilities who are not currently working, may be receiving FoodShare, and may not be automatically identified as exempt from FSET requirements. These subpopulations include:

- People waiting for a disability determination for SSI or SSDI; this can be a lengthy process
- People with mental health, Asperger's, or other invisible disabilities<sup>4</sup>
- People with intermittent disabilities (such as Multiple Sclerosis or other conditions where the severity of symptoms can increase periodically)
- People with milder intellectual/developmental disabilities that do not meet the functional screen for long term care programs.

DHS may determine if an individual does or does not meet the definition of "able bodied adult." Identifying people with disabilities in BadgerCare receiving FoodShare who are exempt from FSET requirements will be a necessary administrative task for the Department to avoid additional administrative burden and challenges specific to people with disabilities associated with drug testing.

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<sup>2</sup> A recent BPDD survey conducted in December 2013 found

<sup>3</sup> Able Bodied Adults without Dependents are defined under federal statute in U.S. 7 CFR 273.24 (c) (2) and under state statute in Wis. Stats. 49.79(1)(am).

<sup>4</sup> The term *invisible disabilities* refers to symptoms such as debilitating pain, fatigue, dizziness, cognitive dysfunctions, brain injuries, learning differences and mental health disorders, as well as hearing and vision impairments. These are not always obvious to the onlooker, but can sometimes or always limit daily activities, range from mild challenges to severe limitations and vary from person to person.

The Wisconsin Board for People with Developmental Disabilities (BPDD) is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Beth Swedeen".

Beth Swedeen, Executive Director  
Wisconsin Board for People with Developmental Disabilities



To: Assembly Committee on Public Benefit Reform  
From: Nick George, Midwest Food Processors Association  
Date: April 30, 2015  
Re: Assembly Bill 177, relating to limiting food choices in the FoodShare Program – Opposed

The Midwest Food Processors Association (MWFPA) is opposed to Assembly Bill 177, which requires the Wisconsin Department of Health Services (DHS) to limit SNAP purchases to no less than 67% of foods that are on the list of foods authorized for the federal special supplemental nutrition program for Women, Infants, and Children (WIC) with some exceptions. Such a program will be expensive to comply with and to administer, may cause job losses, will not save taxpayer money, and will not improve the health of SNAP recipients.

We realize that the intent of AB 177 is to promote healthy choices and to spend taxpayer dollars wisely. However, creating a black-list of foods determined not to be of “sufficient nutritional value” will be costly and lead to many unintended consequences.

For example, three years ago the USDA proposed to make the federal School Lunch Program healthier by limiting a serving of potatoes and peas to one-per-week. Nutritionist from around the country opposed this initiative as being unhealthy and detrimental to students. School administrators opposed the effort because it was too costly and impracticable to replace potatoes and peas with another vegetable. In the end the USDA withdrew the proposal.

Beyond nutrition, AB 177 may have a negative impact on jobs. The Midwest produces and processes many products that some officials may determine to not have “sufficient nutritional value” like the potato and pea example above or the current School Snack Program that does not allow cranberries, raisins or any other dried fruits or vegetables. Wisconsin is a leader in the production and processing of cheese, dairy products, cranberries, sweet corn, peas, green beans, potatoes, cabbage, carrots, and various meat products. Which one of these will make the next list and be considered to have no sufficient nutritional value?

FoodShare is part of the federal Supplemental Nutrition Assistance Program (SNAP) which is the largest nutrition assistance program administered by the USDA reaching 50 million people in 2013. Thousands of people and millions of hours have gone into determining which products are eligible for the program. The program has its’ flaws and can always be improved but it is impracticable to ask the DHS to do a better job with its limited resources.

Though well intentioned AB 177 will be costly to administer, opens nutrition programs to the subjective whims of bureaucrats, may hurt agricultural jobs in the Midwest and duplicates federal rules. We urge the committee to oppose AB 177.

**PLEASE OPPOSE ASSEMBLY BILL 177**

To: Members of the Wisconsin State Legislature

From: Grocery Manufacturers Association | Midwest Food Processors Association | WI Beverage Association | WI Pork Association | WI Petroleum Marketers & Convenience Store Association | Kwik Trip | WI Potato and Vegetable Growers | WI Retail Merchants Association | WI State Cranberry Association | Midwest Equipment Dealers Association | WI Cheesemakers Association | WI Agri-Business Association | Dairy Business Association

Re: **Please Oppose Assembly Bill 177**, relating to: limiting the foods that may be purchased under FoodShare; requiring a report on the cost to implement and comply with the food limitations; requiring review, updating, and publication of the list of authorized foods; providing an exemption from rule making procedures; and making an appropriation.



**We oppose Assembly Bill 177 because it will:**

- **Harm our businesses and threaten Wisconsin jobs** in the agricultural, manufacturing, bottling, distributing and retail industries.
- **Dramatically increase government power.** For the first time, Madison would be creating a definitive list of foods and beverages based on perceived nutritional value.
- **Put checkout clerks in a very difficult position of enforcing** what people can and cannot buy.



Together our organizations represent many of the men and women of Wisconsin who produce, manufacture, distribute and sell food and beverages in our state. Combined, we employ tens of thousands of workers and generate billions of dollars for Wisconsin's economy.



**Though well-intentioned, Assembly Bill 177 is a threat to both job creation in our state and our right to decide for ourselves what to put in our grocery carts.**



While we recognize the intent of this bill is to promote healthy choices, the unintended consequences of the proposal will do far more harm than good.



This legislation would set the precedent of allowing state government to create a "food code" in requiring that **two-thirds of Food Share be limited to the fewer than 1000 products** eligible for purchase under the WIC program.



Modeling Food Share on the highly restrictive dietary needs of pregnant women, infants and children under the age of 5, will substantially restrict the purchase of many Wisconsin-made products, including cheese, butter, frozen pizza, chocolate milk, cranberry juice, and the list goes on...



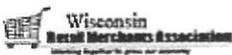
And, how are the limitations going to be enforced at the checkout counter? Are we going to ask cashiers to tell people what they can and cannot buy? At best that could lead to an embarrassing situation...at worst it could become a safety issue.

It is also important to note that not one dime will be saved by this bill. Instead, in the unlikely event that Wisconsin were to receive a waiver from the USDA, taxpayer dollars would have to pay to develop and administer a "food code" administered by the Wisconsin Department of Health Services. Under the bill, state taxpayers would also be asked to cover the substantial cost of compliance for retailers.

Importantly, the complex rules and regulations this proposal will create run 180 degrees counter to the current efforts by the governor and Legislature to reduce the regulatory burden on small businesses.

Again, we all support the good intent associated with Assembly Bill 177. Each of our industries invests considerable time and treasure to encourage health and wellness. But, making checkout clerks into government-sanctioned food police is not the right method to accomplish the goal of healthy eating.

**Please oppose Assembly Bill 177.**





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TO: Members of the Assembly Committee on Public Benefit Reform

FROM: Wisconsin Community Action Program Association (WISCAP)  
Jonathan Bader, Community Action Programs Director

RE: Testimony on AB 177: Relating to limiting foods purchased with FoodShare benefits

DATE: April 30, 2015

I'm Jonathan Bader, Programs Director at WISCAP, the statewide Association of the Wisconsin's 16 anti-poverty Community Action Agencies and 3 special purpose agencies.

WISCAP is opposed to AB 177 that proposes that two-thirds of FoodShare purchases be limited to a narrow list of foods that state government deems nutritious.

Wisconsinites at all income levels face the problem of poor food choices, unhealthy diets and rising rates of obesity. It is NOT an issue isolated to low-income citizens. In fact, research has documented that the poorest 20% of Americans buy the same proportion of healthy foods as every other income group.

While WISCAP shares legislators' concern about improving families' diets – the current proposal has major flaws.

- Foremost - it would dramatically expand government interference in the marketplace at a substantial cost to individual freedom of choice, while greatly limiting personal responsibility – all without achieving its stated goals.

We're concerned because:

- The bill ignores the reality that too many Wisconsin communities are "food deserts" where fresh produce & "approved" foods are in limited supply and more costly.
- AB 177 also concentrates purchases on a limited selection of mainly WIC foods but disregards many healthy and often more affordable foods.
- Many WIC foods are brand-specific and can cost more – which is a major problem since FoodShare provides a fixed amount of money – unlike most WIC vouchers that have no fixed dollar value. The proposal would interfere with frugal shopping by limiting purchases of non-approved foods or brands that are cheaper.

- Households with small balances – like seniors or disabled - may be unable to buy many of the foods they want since 2/3 of every single purchase must be approved items. No more running to the store just to pick up spaghetti & spaghetti sauce or some mac and cheese – since they are not WIC-approved foods.
- The bill would also effectively limit the purchase of ordinary, basic foods that are not luxury items – foods we all consume – simply by not approving them, including: pasta, soups, spaghetti sauce, creamed vegetables, fresh & canned potatoes – to name a few.

AB 177 would likely be ineffective:

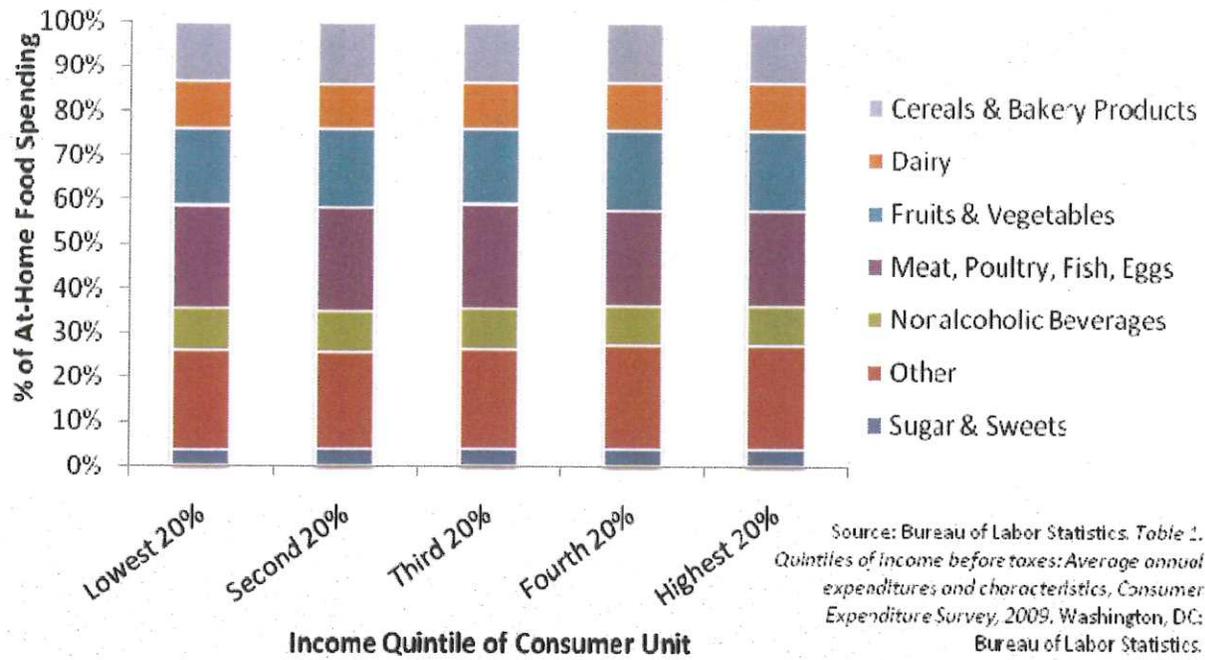
- 70% of Wisconsinites who have FoodShare also buy food with their own money. Without nutrition education or incentives won't people simply use their own money to buy disallowed foods – effectively neutralizing the nutritional goals?
- Wisconsinites living near a bordering state would also be motivated to make unrestricted food purchases there – sending grocery revenue to businesses out of state.
- The chance that the USDA would even approve this waiver is small since they've declined waiver requests from other states seeking more modest limits than AB 177.

There are better strategies to improve healthy eating among Wisconsinites who get FoodShare:

- The USDA found the “Healthy Incentives Projects” increased SNAP participants’ purchases of fruit & vegetable by 26% over non-participants.
- Wisconsin could increase fruit & vegetable purchases at farmers markets by SNAP participants by matching dollars spent on produce with additional dollars – as a project in Michigan found.
- Wisconsin could provide additional resources to the Wisconsin Nutrition Education Program so nutrition educators could teach low-income consumers in more areas how to shop frugally, make healthier food choices, and increase physical activity.
- WISCAP and UW-Extension recently developed a toolkit that relies on voluntary actions, incentives, marketing, and nutrition education to increase the nutritional quality and safety of emergency food inventories and promote healthier eating
- Most importantly, Wisconsin could launch an economic development initiative to incentivize supermarkets to locate in rural and inner city food deserts so people have better access to retail markets with healthier, more affordable food.

While WISCAP does not support AB 177, we're ready to work with any legislators who are interested in implementing these strategies that could enhance the nutritional health of Wisconsinites.

## Proportion of At-Home Food Spending by Category across Income Groups





### MEMBERS

African Methodist  
Episcopal Church

American Baptist Churches

Christian Church  
(Disciples of Christ)

Christian Methodist  
Episcopal Church

Church of God in Christ

Church of the Brethren  
Episcopal Church

Evangelical Lutheran  
Church in America

Greek Orthodox Church

Mennonite Church USA

Moravian Church

Orthodox Church in America

Presbyterian Church (USA)

Reformed Church in America

United Church of Christ

United Methodist Church

### OBSERVERS

Roman Catholic:

Archdiocese of Milwaukee

Diocese of Green Bay

Diocese of LaCrosse

### ASSOCIATE MEMBERS

Benedictine Women  
of Madison

Church Women United

Interfaith Conference of  
Greater Milwaukee

Leadership Conference of  
Women Religious Region 9

Madison-area Urban Ministry

Rev. Scott D. Anderson,  
Executive Director

# Wisconsin Council of Churches

750 Windsor Street, Suite 301 Sun Prairie, WI 53590-2149  
Ph 608.837.3108 Fax 608.837.3038 E-mail [wcoc@wichurches.org](mailto:wcoc@wichurches.org)

April 30, 2015

TO: Assembly Committee on Public Benefit Reform

FROM: Peter Bakken, Coordinator for Public Policy  
Wisconsin Council of Churches

RE: Opposition to Assembly Bill 177, limiting the foods that may  
be purchased under FoodShare

Thank you for taking my testimony in opposition to Assembly Bill 177.

The Wisconsin Council of Churches (WCC) is a community of Christian denominations that covenant to pray and work together for the unity and renewal of the church and the healing and reconciliation of the world. The Council encompasses 18 denominations with approximately 2,000 congregations and over one million church members.

The issue of hunger has been at the forefront of the Council's efforts to promote social and economic justice for Wisconsin's most vulnerable residents. Food is one of the most basic human needs, yet there are many in our communities who do not have enough to eat, or worry about where their next meal is coming from.

We believe that caring for the poor and feeding the hungry is a basic moral and religious responsibility. Our members are working alongside others in their community to end hunger – not only in food pantries, soup kitchens, and community gardens, but also by advocating as citizens for policies that will promote the good of the community and all its members.

We therefore respect and share the aim of this bill to provide nutritious food to persons in need, and prevent waste, fraud and abuse in the FoodShare program. However, we have real concerns about its implications for those who turn to public assistance in time of need.

All too often, people in need of nutritional assistance are treated as if they were fundamentally different from the rest of us – as if they were far more deeply flawed, much more prone to break the law or behave unethically. Unfairly, people experiencing poverty or joblessness are held to a higher moral standard than other people, more rigorously scrutinized, and given less dignity and respect. Yet, while their economic circumstances may be limited, they are still our fellow human beings, our neighbors, and often our family members, friends or fellow worshippers.

*We pray and work together for the unity and renewal  
of the church and the healing and reconciliation of the world*

One of the reasons that FoodShare is such a valuable program is that it allows people who receive it to shop for food like everyone else. They are able to use their EBT card at grocery stores (rather than the paper coupons which gave rise to the obsolete term, "food stamps" and helped to create the stigma that prevents many eligible people, especially seniors, from applying). It not only provides people with access to food, but also allows them to obtain it with dignity, freedom of choice, and personal responsibility.

This proposal creates a new set of complicated rules for buying food that applies to a particular class of persons only because they need help to meet their basic nutritional needs. Grocery shopping on a tight budget is challenging enough, especially if you are in a "food desert" or trying to accommodate special dietary needs or cultural traditions. To have to do so while keeping track of what percentage comes from a narrow list of allowable foods and what percentage does not, is to impose an unnecessary and unreasonable additional burden.

(WIC foods – which serve as the basis for the permitted foods in this proposal – are targeted to a specific population with particular nutritional needs: namely, pregnant and nursing women, infants, and very young children. Its design and purpose are not the same as those of FoodShare. That, presumably, is why they are two different and distinct programs.)

People who are dealing with poverty and food insecurity already face major challenges of getting to grocery stores, of meeting household needs on a limited budget; of planning and preparing meals. They must do so while meeting the demands of schooling, jobs or job seeking, and childcare. They have to deal with the stigma, humiliation and social isolation that our society imposes on persons in poverty. We should not make their lives even more difficult.

FoodShare recipients should be treated as responsible adults who, given nutritional education, and access to affordable, healthy food, can make their own decisions without someone – whether the person next in line or a state agency – looking over their shoulders.

We all want to <sup>reduce</sup> fraud, waste and abuse in public assistance programs. But we need to have a sense of balance, proportion, and compassionate understanding of the lives of the people impacted by these policies in order to make wise decisions about how to address those problems.

Probably all of us could improve the nutritional quality of our diets. For those of us who face the additional challenge of limited access and limited means, we should be promoting policies that make nutritious food more available and affordable.

Thank you for considering our views.



## WISCONSIN CATHOLIC CONFERENCE

### TESTIMONY ON ASSEMBLY BILL 177: ALLOWABLE FOODS

Presented to the Assembly Committee on Public Benefit Reform

By John Huebscher, Executive Director

April 30, 2015

On behalf of the Wisconsin Catholic Conference (WCC), I offer this testimony in opposition to Assembly Bill 177, which limits foods that may be purchased under FoodShare, the state's name for the Supplemental Nutrition Assistance Program (SNAP).

Just last week, the leadership of the United States Conference of Catholic Bishops, Catholic Charities USA, Catholic Rural Life, and the Society of St. Vincent de Paul testified before the House Committee on Agriculture on SNAP. I cannot improve on how they began their testimony:

The Catholic community brings moral principles drawn from our faith tradition and everyday experience deeply rooted in communities throughout the country, in service to our hungry, poor and vulnerable brothers and sisters in need. By our own efforts and our advocacy on public policy priorities, we seek to help provide adequate nutrition for poor and hungry people.

At our parishes, Catholic Charities agencies, St. Vincent de Paul conferences, soup kitchens and in our schools, we see the faces of poor and hungry people every day. We feed those without work, children, pregnant women, and seniors living on a limited income. For many of them, the meal they receive from our ministries and charities is the most nutritious meal they receive that day. The Church teaches that food is a human right and that the "scandal of hunger" affects, not just a number or statistic, but a human person. Pope Francis reminds us that the right to food "Can only be ensured if we care about the actual subject, that is, the person who suffers the effects of hunger and malnutrition."

These Catholic leaders affirmed the value and effectiveness of SNAP, noting:

- SNAP helps lift up human life and dignity by helping feed the "least of these";
- 75 percent of SNAP households included a child, senior, or disabled member, and 83 percent had incomes below the federal poverty guideline;
- SNAP works well. It has one of the lowest error rates of any federal program. In 2013, it achieved its lowest overpayment error rate on record at 2.6 percent; and
- SNAP lifted approximately 4.8 million people out of poverty in 2013, including about 2.1 million children.

In responding to proposed reforms to SNAP, our Catholic leadership urged Congress to:

- Prevent cuts or reductions to SNAP.
- Avoid eroding benefits or promoting barriers to access. State flexibility to meet local needs should not lead to a loss or reduction of benefits, especially to children.
- Maintain the structure of SNAP so that it may continue to respond to people suffering as a result of economic hardship or other unforeseen crises.
- Review and repeal the current provisions penalizing low-income families headed by a parent with a past drug conviction.

Catholic Charities agency directors from across the country tell us that hunger is a major issue where they serve and that SNAP is critical to alleviating poverty more broadly in their communities. They identify hunger as an entry point for clients to access a broader array of services. They stress that if households do not have food and safe shelter it is almost impossible to address the other factors that are keeping them in crisis or generational poverty. SNAP is necessary for most clients to stabilize before they can move out of poverty.

Poverty is not a sign of moral deficiency. It is not proof that one lacks character or judgment. Being poor can happen to anyone of us – whether through illness, injury, natural disaster, or the loss of a job – to name just a few. Catholic teaching is unequivocal in its insistence that as followers of Christ we are to exercise a preferential option for the poor. All of our public policy and private charity efforts must be geared toward helping those in need attain a better future.

Wisconsin's FoodShare program must offer support to those facing difficulties, not judgment or presumption. We know that food deserts exist. Not all neighborhoods have access to a wide selection of foods. Assembly Bill 177 is likely to limit choices of affordable options in places where those in need already have too few options.

Further, as a 2007 USDA report ("Implications of Restricting the Use of Food Stamp Benefits") suggests, SNAP participants will likely face increased stigma and possibly embarrassment as their food choices are scrutinized and at times rejected. This fear of public humiliation is real. It will keep some eligible individuals from participating in the program altogether. This, in turn, only deepens their poverty. Finally, compliance violations are likely to increase when foods are restricted. This will drive up the cost of the program and expand the list of punishable offences.

The USDA study went on to say "there are better alternatives for promoting healthier diets. One could, for example, consider incentives – rather than restrictions – to encourage the purchase of selected foods (fruits and vegetables or whole grains, for example) by food stamp participants."

Let me offer one such alternative. The Society of St. Vincent de Paul Council of Madison runs the largest food pantry in Dane County. In 2014, it donated about \$1,300,000 worth of food to over 45,000 customers. The food pantry operates a "customer-choice model" of distribution that resembles a grocery store. Customers are able to choose the specific foods that meet their needs. The program reduces waste, promotes self-respect and personal initiative. It respects cultural diversity and honors the dignity of all who are served.

In addition, in order to encourage healthier eating habits, this St. Vincent de Paul Council food pantry relies on volunteers throughout the summer to grow fresh vegetables and legumes for distribution at the pantry. This is but one example of a positive innovation that can achieve many of the desired effects of AB 177, while avoiding stigma, added costs, and compliance problems.

The work of this food pantry and countless other initiatives demonstrate the different, and we think more respectful, approach to helping those living in poverty.

In its April 2015 annual “Wisconsin Poverty Report,” the University of Wisconsin-Madison’s Institute for Research on Poverty (IRP) observes that while employment rose in 2013, poverty increased, much of it among the working poor. However, the IRP also reports that the public benefit with “the greatest impact on reducing overall poverty in 2013” was the FoodShare program. This was particularly true of child poverty, which without FoodShare would have been 4 percentage points higher.

The IRP report reminds us all that we are living in a new economic reality. In this reality the majority of the new jobs created are in “low-wage occupations, many in part-time jobs, which do not by themselves achieve the objective of effectively pulling low-educated working adults and their children above the poverty line, even with the help of refundable tax credits and SNAP.”

Until the job prospects for these working adults improve, we cannot turn our backs on them or their children. We must not make access to food more difficult. Rather we should utilize all our ingenuity and good will toward positive changes so that everyone can lead dignified and healthy lives.

Because AB 177 raises serious concerns and because there are better ways to help those in need access good food, we ask that you not approve this bill.

Thank you.

**TESTIMONY TO COMMITTEE ON PUBLIC BENEFIT REFORM ON AB 177**

Thank you for the opportunity to share information today about AB 177, which proposes changes to Wisconsin’s FoodShare program. Disability Rights Wisconsin is the federally mandated protection and advocacy agency for Wisconsinites with disabilities, including people with mental illness, designated by the Governor to protect the rights of people with disabilities. Part of our charge is to make sure that people with disabilities are able to live and work in the least restrictive, most integrated settings possible and be free from abuse and neglect. Access to Food Share benefits is an important issue for people with disabilities, both in terms of preventing neglect and promoting integrated, community living.

Our testimony is to be considered for information only, so that the committee will be informed as to the likely impact AB 177 will have on people with disabilities. As a preliminary matter, we note that there is a high correlation between disability and poverty. According to the last census:

- The poverty rate for adults with disabilities reached 20.9 percent in 2010, up from 19.5 percent from 2009. But it's even worse for women: 23.2 percent of women with disabilities live in poverty.
- Adults with disabilities make up a disproportionate share of those living in poverty. In 2010, adults with disabilities made up 19 percent of those in poverty, while making up only 11.7 percent of the population as a whole. Women with disabilities represented 19.5 percent of women living in poverty, but only 12.2 percent of women as a whole.
- Extreme poverty is also higher among adults with disabilities, and women in particular. 7.2 percent of adults with disabilities, and 7.7 percent of women with disabilities have incomes less than half of the federal poverty level.
- 22% of FS recipients are either, elderly, blind, or disabled. 40% of FoodShare assistance groups (AG) contain at least one individual that is, either elderly, blind, or disabled. The average allotment for AGs that contain an elderly, blind, or disabled member is \$144. However 26% of the elderly, blind or disabled caseload is receiving an allotment of \$20 or less.
- 30% of people on government assistance programs have a disability. Of those, 14.2% have a cognitive disability.

These statistics emphasize that poverty is a significant problem for people with disabilities. Thus, concerns raised about this bill that come strictly from the perspective of its effect on poor people apply in equal measure to the people with disabilities who rely on Food Share to subsist. In other words, people with disabilities have two determinants that factor into this discussion. They are poor on top of having a disability.

AB 177, which restricts the types of food that may be purchased through FoodShare, will have a significant impact on people with disabilities because of their disabilities.

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<b>MADISON</b>	<b>MILWAUKEE</b>	<b>RICE LAKE</b>	
131 W. Wilson St. Suite 700 Madison, WI 53703	6737 West Washington St. Suite 3230 Milwaukee, WI 53214	217 West Knapp St. Rice Lake, WI 54868	disabilityrightswi.org
608 267-0214 608 267-0368 FAX	414 773-4646 414 773-4647 FAX	715 736-1232 715 736-1252 FAX	800 928-8778 consumers & family

First, currently, the restrictions on what FoodShare benefits may be expended on are straight forward and clear. Basically, if it's food, you can use your FoodShare benefits to purchase it. This bill will make the process of determining what you can use your FoodShare benefits to purchase considerably more complex, as 67% of Food Share benefits will have to be spent on certain foods (foods approved for WIC plus meat, fish and potatoes). This added complexity will have a disparate impact on people with cognitive disabilities. People with cognitive disabilities will have difficulty distinguishing between eligible and non-eligible foods. The WIC list of approved foods is a complex document that requires a level of sophistication to understand and apply that is beyond the capabilities of many people with even mild cognitive impairments. For example, tuna in cans is eligible, but tuna in a pouch is not. (See an appended a copy of DHS's publication "WIC approved foods" included with this testimony.) People with cognitive impairments will have even more difficulty understanding that a certain percentage of "ineligible" foods are permissible, but beyond that percentage they are not. They will likely make mistakes that will not be identified until they attempt to check out. At that point they will either checkout with a half-filled grocery bag or go back into the store to try again, perhaps multiple times. This process will be stigmatizing for the person with the cognitive disability.

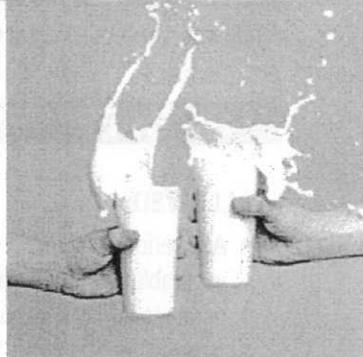
Second, people with disabilities are more likely than the general population to have special health conditions or dietary restrictions. The bill does not contain a process by which the 67% figure could be adjusted for an individual who demonstrated a medical or dietary need for it. This is a matter of health for many people managing chronic or disabling conditions. According to the WIC Approved Foods list, organic foods are not eligible. For several food groups low sodium or reduced fat versions are not covered. For people with food allergies, weight issues or at risk of stroke, access to these varieties of foods may be critical.

In summary, if enacted, AB 177 would likely make it more difficult for people with disabilities to access their FoodShare benefits because of difficulty navigating the complex rules relating to how the benefit may be expended. And the inflexibility in the proposed system would make it difficult for people with dietary restrictions to access the foods they need in the quantities they require.

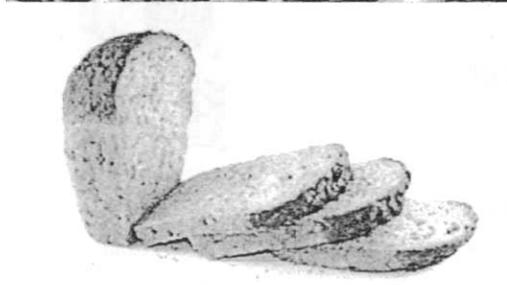
Thank you for the opportunity to submit this testimony.

Attachment: WIC Approved Foods, DHS also available at:  
<https://www.dhs.wisconsin.gov/publications/p4/p44578.pdf>

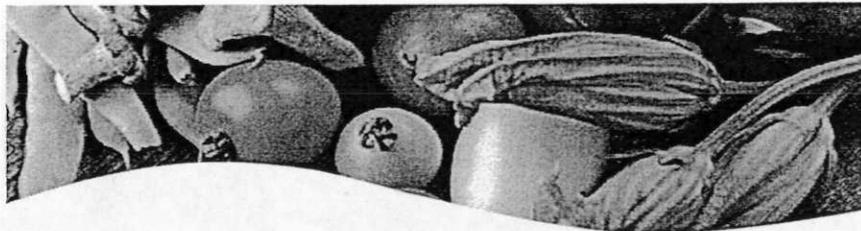
Contact: Lisa Pugh, Public Policy Director



**WIC** approved foods  
WISCONSIN WOMEN, INFANTS & CHILDREN NUTRITION PROGRAM



Effective June 1, 2014 – Oct. 31, 2016

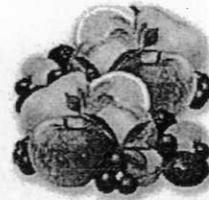


The following is a listing of fruits and vegetables that may be purchased with WIC Fruit and Vegetable checks. Any brand, any size and organic fruits and vegetables may be purchased. Infant foods *cannot* be purchased with WIC Fruit and Vegetable checks.

## FRESH FRUITS & VEGETABLES

### ALLOWED:

- Any variety of whole or cut fresh fruit or vegetables except potatoes (Note: Sweet potatoes and orange yams are allowed)
- Bagged vegetables (for example, carrots or salad greens)
- Fresh garlic bulb and ginger root



### NOT ALLOWED:

- Potatoes (except sweet potatoes and orange yams)
- Items from the salad bar, party trays, fruit baskets, dried fruit, decorative fruits and vegetables
- Nuts, including peanuts, fruit/nut mixtures
- Herbs, spices, or seasonings

## CANNED FRUITS

### ALLOWED:

- Packed in water, juice or fruit juice concentrate
- Any plain fruit, plain fruit mixture
- Any container type
- Applesauce – no sugar added or unsweetened varieties only



### NOT ALLOWED:

- Cranberry sauce, pie filling
- With any syrup (heavy, light, naturally light, extra light, etc.)
- With added sugar (sweetened juice, fruit gel or nectar)
- With artificial sweetener (for example, Splenda or NutraSweet)

## FROZEN FRUITS

### ALLOWED:

- Cups, bags or pouches only

### NOT ALLOWED:

- Boxes or tubs
- Fruit bars, popsicles, fruit smoothies
- With sugar or other sweeteners (for example, syrup or Splenda)



**CANNED TOMATO PRODUCTS****ALLOWED:**

- Whole, diced, crushed or stewed tomatoes
- Tomato sauce, paste, or puree
- With herbs or seasonings  
(for example, onions, chillies, garlic)

**NOT ALLOWED:**

- Pizza, lasagna or spaghetti sauce
- Soups, salsa, ketchup
- With any oil

**CANNED VEGETABLES****ALLOWED:**

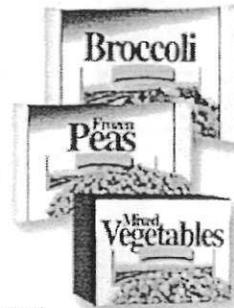
- Plain vegetables, plain vegetable mixtures (without potatoes), including green (sweet) peas, green/snap/wax/yellow beans, and sprouts
- With or without added salt (sodium)
- Chopped garlic in water

**NOT ALLOWED:**

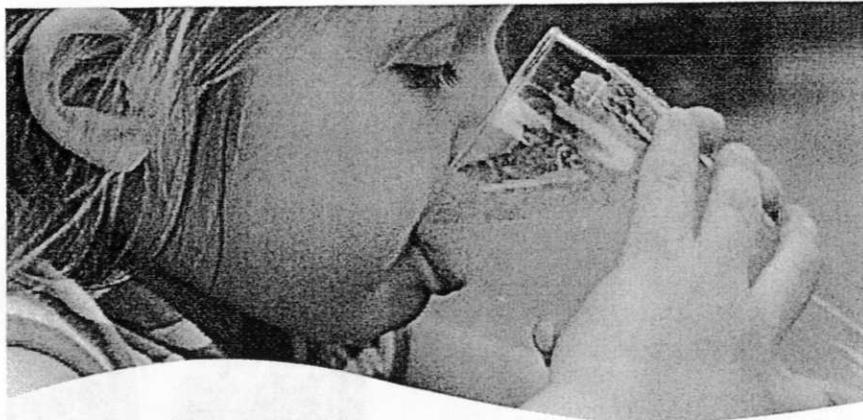
- Potatoes, sweet potatoes, orange yams
- Pickles and pickled vegetables (for example, sauerkraut)
- Creamed vegetables (for example, cream-style corn)
- Beans, peas and lentils (for example, black-eye peas, lima, pinto, kidney, and butter beans) that are allowed on checks for canned beans/peas/lentils
- Baked beans, pork and beans, refried beans
- Chopped garlic in oil
- Soup, ketchup, relishes, olives

**FROZEN VEGETABLES****ALLOWED:**

- Any plain vegetables, plain vegetable mixtures without potatoes (Note: Sweet potatoes and orange yams are allowed)
- Any bean or mixture with beans or peas (for example, mixed vegetables with lima beans)
- Any package type

**NOT ALLOWED:**

- With pasta, noodles, nuts, rice, cheese, or meat
- With butter, oil, sauces or glazes; breaded
- Sweet potato fries or french fries, hash browns, or shaped potatoes
- Potatoes (except sweet potatoes and orange yams)



**ALLOWED JUICES:**

- Only the brands and flavors of 100% juice listed
- Unsweetened, pulp and pulp-free
- Only the size specified on the check

**NOT ALLOWED:**

- Cocktails, beverages, drinks, sweetened juices, cider
- Organic, unpasteurized, low-acid
- Juices with added ingredients (for example DHA, caffeine, ginseng)
- Glass bottles, refrigerated juice and juice boxes (unless printed on check)

**BOTTLED 100% JUICE**

48 oz and 64 oz plastic bottle, not refrigerated (Examples of 48 oz. include, but are not limited to: Juicy Juice, Musselman's Apple, and Northland)



Juicy Juice: all flavors



Langers: all flavors (except pomegranate blends)



Northland: all flavors (except pomegranate blends)



Old Orchard: all flavors (except very cherre and 100% Pomegranate)



Tree Top: apple (except fresh pressed), apple grape, apple berry



Indian Summer: apple



Musselman's apple: premium or fresh-pressed (except with calcium)



Welch's grape: white, red & purple (except with fiber or calcium)



Campbell's: tomato juice any variety (except organic)



V8: any variety (except Splash and V. Fusion)



- Store Brand Apple Juice (except natural):  
Only Essential Everyday, Food Club, Great Value, Hy-Top, IGA, Our Family, Roundy's, Shurfine brands.
- Orange Juice: any brand
- Grapefruit Juice (white, pink or red): any brand
- Orange Grapefruit Juice: any brand
- Pineapple Juice: any brand

**NOT ALLOWED:**

- Drinks, cocktails, beverages, sweetened, cider
- Added DHA, infant juice, organic
- Glass bottles, refrigerated cartons (unless printed on check)

**FROZEN 100% JUICE**

Only 11.5 - 12 oz container



Dole: all flavors



Old Orchard:  
all flavors with green caps



Welch's: all flavors  
with yellow tear strip



Seneca: apple



Tree Top: apple



Store Brand Apple Juice:  
Only Essential Everyday,  
Food Club, Great Value,  
Hy-Top, IGA, Our Family,  
Roundy's, Shurfine brands



Any brand



Any brand  
white, pink, or red

**OTHER 100% JUICE**

when printed on the check

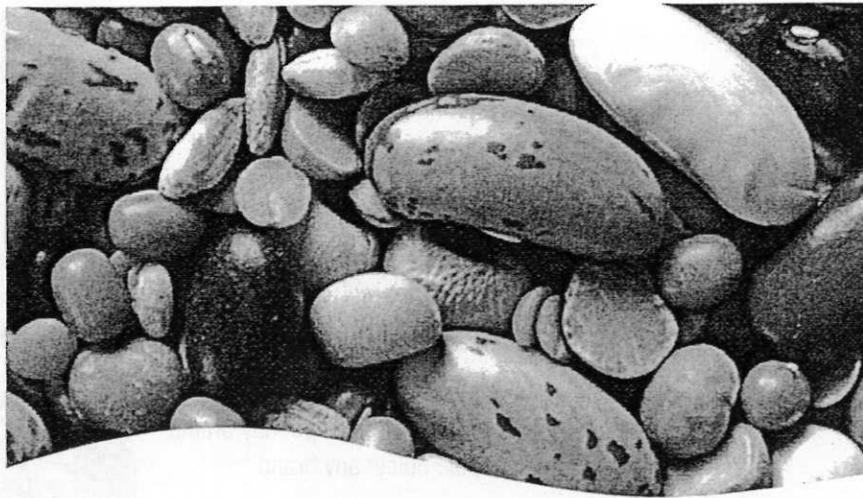
64 oz refrigerated container:

- Only orange and grapefruit juice with added calcium
- Other added vitamins and minerals are allowed
- All brands

4.23 oz juice boxes (8-pack):

- Juicy Juice brand only
- All flavors

100% JUICE



The following are types of mature beans, peas, and lentils that may be purchased with checks that specify canned or dried beans. Fruit and vegetable checks must not be used to buy these items.

## MATURE BEANS • PEAS • LENTILS

### ALLOWED:

- Canned: 15 – 16 oz cans only
- Dried: 16 oz bag only
- Plain or low sodium
- Any brand



### Examples Include:

- Black
- Black-eyed peas
- Butter
- Garbanzo (Chickpeas)
- Great Northern
- Kidney (red or white)
- Lima
- Navy
- Pink
- Pinto
- Red
- Fat-free refried beans only
- Mixed types



### NOT ALLOWED:

- Immature varieties such as canned green peas, green beans, snap beans, yellow beans and wax beans (purchase allowed as a vegetable with a fruit and vegetable check)
- Fresh or frozen beans and peas (may be purchased with fruits and vegetable check)
- Added sugars (for example, baked beans)
- Added fats, oils or meat (for example, pork and beans, refried beans with added fats)
- Added sauces or flavors (for example, chilies, jalapeno, lime, garlic)
- Organic
- Soups
- Dried varieties in bulk

## PEANUT BUTTER



### ALLOWED:

- 16 – 18 oz
- Glass and plastic containers
- All brands of creamy, crunchy, extra crunchy, natural, or old-fashioned
- Low sodium/salt, reduced/no sugar, Omega-3

### NOT ALLOWED:

- Flavored (for example, added jelly, honey or honey-roasted, chocolate)
- Specialty (for example, whipped, organic, with flaxseed or added vitamins)
- Individual servings
- Peanut butter spread, reduced fat
- Peanut butter from the health food, diet (for example, Fifty 50), or refrigerated section

## CANNED FISH

### ALLOWED:

#### Light tuna:

- 5 oz cans  
(3 oz if printed on check)
- In oil or water



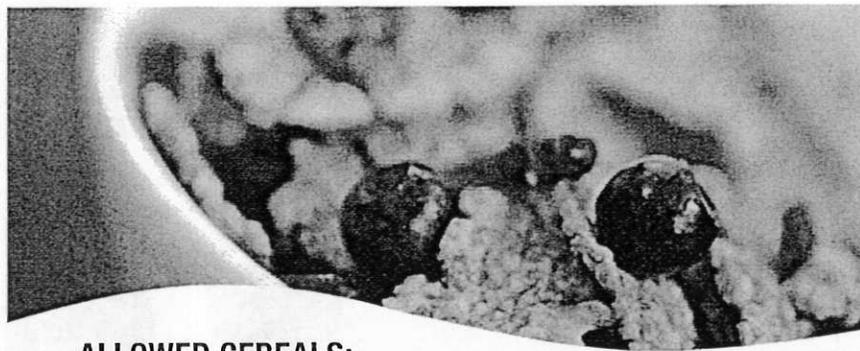
#### Pink Salmon:

- 14.75 oz cans
- May include bones or skin
- In oil or water

### NOT ALLOWED:

- Albacore or white tuna, red salmon
- Solid, fillet, select
- Pouches, reduced or low-sodium, organic

MATURE BEANS • PEAS • LENTILS • PEANUT BUTTER • CANNED FISH



**ALLOWED CEREALS:**

Combinations of cold, hot, and/or allowed WIC infant cereals not to exceed amount stated on check. Boxes or bags allowed.

**NOT ALLOWED:**

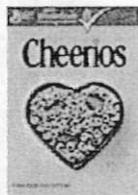
Single serving packets (unless stated), canisters, low-carb/carbohydrate, organic.

**KEY:**

- ⌘ 51% or more whole grain
- \* Provide 100% of daily value folic acid.
- GF Gluten-Free

**COLD CEREALS**

12 ounce packages or larger except Gluten Free Rice Krispies and infant cereals



Plain ⌘



⌘



Plain ⌘



GF



GF



⌘\*



Plain ⌘



⌘



Plain ⌘\*



Plain ⌘



Plain



Plain



Plain \*



Big-Bite ⌘



Little-Bites ⌘



Original ⌘



Raspberry ⌘



Plain



GF



⌘\*



Banana Nut ⌘



Plain ⌘



Plain ⌘



⌘

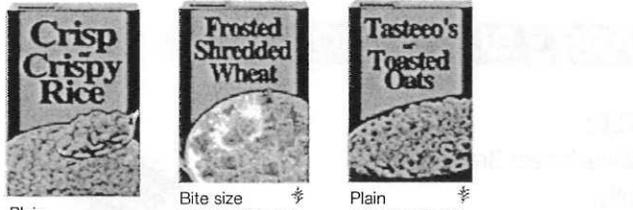
# CEREALS



Almonds      Cinnamon      Honey Roasted Not "Just Bunches"      Vanilla



Plain      Brown Sugar      Cinnamon      Plain any store brand



Plain any store brand      Bite size plain frosting only any store brand      Plain any store brand

## HOT CEREALS



Plain      Plain      Plain      GF



Plain      Plain      Plain      Plain in packets only      Plain in packets only



Original and all flavors in packets only      Plain in packets only      Plain in packets only Any Store Brand

Your check states the number of ounces of cereal. For checks stating 36 ounces of cereal, the following are examples of possible cereal size combinations:

$$\boxed{24 \text{ oz}} \quad \boxed{12 \text{ oz}} = 36 \text{ oz} \quad \boxed{12 \text{ oz}} \quad \boxed{12 \text{ oz}} \quad \boxed{12 \text{ oz}} = 36 \text{ oz} \quad \boxed{18 \text{ oz}} \quad \boxed{18 \text{ oz}} = 36 \text{ oz}$$



## BREADS • BUNS • ROLLS

### ALLOWED:

100% Whole Wheat Bread,  
Buns, Rolls:

- 16 oz (1 lb) package only
- Any brand labeled "100% whole wheat" and lists whole wheat flour as the first ingredient



The following are examples  
of allowed brands:

- Any store brand  
(for example, Food Club, Our Family)
- In-store bakery brand
- Bimbo Bread
- Butternut Bread
- Family Choice Bread
- Pepperidge Farm Bread  
(Stone Ground, Very Thin Sliced,  
100% Whole Wheat Cinnamon with Raisin Swirl)
- Sara Lee Bread (Classic)
- Village Hearth Bread

### NOT ALLOWED:

- Any package not equal to 16 oz
- Healthy Life 100% whole wheat (high fiber)
- Bagel bread, bagels, pita bread
- Muffins, English Muffins
- Frozen dough, frozen bread and rolls
- Sugar-free or with Splenda, double fiber,  
with flaxseed, or gluten-free
- Organic

## BROWN RICE

### ALLOWED:

16 oz (1lb) box or bag only



- Any brand, dry
- Plain (for example, without added herbs, seasonings or beans)

### NOT ALLOWED:

- Any package not equal to 16 oz
- White rice, flavored rice, wild rice, rice mixes
- Frozen brown rice
- Tubs, microwavable pouches
- Organic

## TORTILLAS/WRAPS

### ALLOWED:

16 oz (1lb) package only

#### Soft Corn:

- Any brand
- White or yellow



#### Whole Wheat:

- Any brand labeled "whole wheat"

The following are examples of allowed brands:

- |  |                                 |
|--|---------------------------------|
| • Any store brand<br>(for example, Roundy's) | • El Rey                        |
| • Bucky Badger                               | • Frescados                     |
| • Chi Chi's                                  | • La Banderita                  |
|  | • Mission (except Life Balance) |

### NOT ALLOWED:

- Any package not equal to 16 oz
- Hard corn tortillas/taco shells
- Low-carb/carbohydrate
- Organic



## MILK

### ALLOWED:

- Plastic, cartons, gallon bags, ½ gallons or gallons clipped together by manufacturer
- rBGH & rBGH-free, rBST & rBST-free

White milk: Gallon only, unless printed on check. Type is printed on check – for example, low-fat (1%) or fat-free (skim)



### Must be printed on the check:

- Lactose-Free (including calcium-fortified)
- Half-gallon or quart
- Non-Fat Dry: 25.6 oz (8 qt) boxes or pouches only
- Evaporated: 12 oz can. Type is printed on check.
- Kosher

### NOT ALLOWED:

- Flavored, goat's milk, acidophilus, buttermilk
- Specialty (for example, organic and certified humane)
- Nut or grain milk (for example, soy, almond, rice)
- Low cholesterol, UHT
- Milk with added ingredients (for example, Omega-3, EPA/DHA), protein-fortified
- Quarts or half gallons unless printed on check, glass bottles

## SOY MILK

### ALLOWED:

Must be printed on the check:  
8th Continent - Original and vanilla only  
(Half-Gallon, Refrigerated Carton)

### NOT ALLOWED:

8th Continent - Complete,  
Chocolate, light and fat-free



## CHEESE



### ALLOWED:

- Displayed in the dairy case
- 16 ounce package only
- Reduced fat is allowed

### Blocks:

- American
- Brick
- Cheddar (mild or medium only)
- Colby
- Monterey Jack
- Mozzarella (except fresh)
- Muenster
- Provolone
- Mixtures of cheese listed (such as cojack)

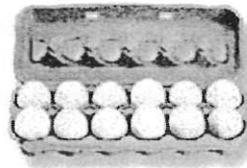
### Other:

- American (sliced but not individually wrapped)
- Cheese curds
- String cheese (not individually wrapped)

### NOT ALLOWED:

- Sharp or extra sharp cheddar, swiss, fresh mozzarella
- Shredded, sliced (except American), crumbles, cubes, sticks, and other shapes
- Cheese foods, spreads, products
- Specialty, goat cheese, smoked, herbed, flavored, cheese from deli case, imported, organic
- Reduced sodium, reduced cholesterol, lactose-free
- Kosher (unless printed on check)

## EGGS



### ALLOWED:

- White, any grade, any size
- 1-dozen carton

### NOT ALLOWED:

- Brown eggs, vegetarian, organic, natural, from cage free or free-range chickens
- Low cholesterol, reduced fat
- Increased vitamin E (for example, Eggland's Best) or any other modified or specialty eggs
- Pasteurized in shell, hard-boiled

MILK • SOY MILK • CHEESE • EGGS



## INFANT CEREALS

### ALLOWED:

- Any brand; 8 or 16 oz containers
- Any grain, mixed grains (except quinoa)
- With added vitamins  
(for example, Vitablocks)

The following are examples of allowed brands:

- Beech-Nut, Beech-Nut Goya
- Gerber
- Private label brands  
(for example, Parent's Choice, Tippy Toes)



### NOT ALLOWED:

- Organic
- Quinoa
- Added DHA, prebiotics, probiotics
- Added fruit, yogurt or formula
- Jars, single serving packets
- Lil' Bits

## FORMULAS & LIQUID NUTRITION PRODUCTS

### ALLOWED:

- Includes formulas for infants and some children
- Liquid nutrition products for some women and children
- Only the brands, types, and amounts printed on the check

## INFANT FRUITS & VEGETABLES

### ALLOWED:

- Any brand; 4 oz containers (except squeeze pouches)
- Any plain variety of fruits or vegetables
- Any mixture of fruits and/or vegetables
- 2-pack, 4 oz each (equals 2 containers)

The following are examples of allowed brands:

- Beech-Nut, Beech-Nut Goya
- Gerber (except 2-pack, 3.5 oz each)
- Private label brands (for example, Tippy Toes)



### NOT ALLOWED:

- Any container not equal to 4 oz
- Organic
- Squeeze pouches
- Added cereal, granola, or yogurt
- Meat or poultry, rice or pasta  
(for example, dinner, casserole, soup or stew)
- Casseroles, creamed vegetables
- Desserts (for example, juice & fruit blends, pudding, or cobbler)

## INFANT MEATS

### ALLOWED:

- Any brand; 2.5 oz containers
- Any plain infant meat or poultry with broth or gravy

The following are examples of allowed brands:

- Beech-Nut, Beech-Nut Goya
- Gerber
- Private label brands  
(for example, Tippy Toes)



### NOT ALLOWED:

- Organic
- Added fruit, vegetables, rice or pasta  
(for example, dinner, casseroles, soups or stews)
- Meat or Poultry sticks

*Foods are approved even if the  
package design changes.*



Department of Health Services  
Division of Public Health  
P-44578 (Rev. 6/2014)  
Federal Regulations 246

Visit our website: <http://dhs.wisconsin.gov/wic/benefits.htm>

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KWIK TRIP TESTIMONY on  
AB 177, RELATING TO LIMITING FOOD THAT MAY BE PURCHASED UNDER FOODSHARE  
Presented by Wendy Coomer

April 30, 2015

Thank you Mr. Chairman and members of the Committee. My name is Wendy Coomer. I am here on behalf of Kwik Trip to testify in opposition to AB177.

Most, if not all, of you know Kwik Trip. Kwik Trip is a successful Wisconsin-based company with over 490 stores in Wisconsin, Iowa, and Minnesota and 14,261 employees. Their success is due in large part because they deeply value their employees and their customers. These two values go hand-in-hand. They make it a top priority to ensure that customers have a positive, convenient, Wisconsin-friendly experience at every visit. In fact if you go their website, you can read their mission statement. It reads:

**I. OUR MISSION STATEMENT**

***To serve our customers and community more effectively than anyone else by treating our customers, co-workers, and suppliers as we, personally, would like to be treated and to make a difference in someone's life.***

AB177 was intended to encourage healthy choices for purchases made under the FoodShare program. We have the utmost respect for Representative Brooks and the co-sponsors of AB177 and believe their intentions to be good. But if enacted, these new regulations would place undue pressure on both Kwik Trip's co-workers and customers alike.

Kwik Trip opposes AB 177 for three main reasons:

1 - In reality, this legislation would push enforcement of the "buy healthy rules" onto the store clerks. Kwik Trip co-workers who work on the store registers are there to serve the customers, not attend to the public policy objectives of state government. They are more than willing to comply with laws that affect them and the industry, but policing customers is NOT an appropriate role for these individuals whose purpose is to strive to provide the best possible experience for customers.

2 - AB 177 will cause delays at check-out. Swiping the card before and after the food is checked through, explaining and sorting out accounts and values on various food items, answering questions as to why this food is "healthy" and this one is not, trying to understand why a food at the grocery down the street is on a different list, and the myriad of other sorting and accounting dilemmas will increase check-out times and create lines and waiting for all customers. I realize that this issue is popular among the general public. But the popularity may wane if that discussion included the impact of a longer wait time at every check-out.

3 - Finally, AB 177 would create even more confusion on the border communities. If someone who normally goes to the Kwik Trip in La Crescent Minnesota comes across the bridge to a Kwik Trip in La Crosse Wisconsin how do you process them? Would the amount spent on less healthy options at the Minnesota store be tabulated? Does it only apply to the foods bought in Wisconsin? What if you buy only less healthy foods in the Minnesota store and then spend you last dollar on the account here in a La Crosse location? Kwik Trip would also have to spend a lot of resources reconciling two different software systems and two different types of business operations to account for this discrepancy.

Overall, Kwik Trip understands the value of encouraging healthy food choices. They sell more bananas than any other retailer in Wisconsin. They have been ahead of the curve on providing healthy food options in convenience stores. They would support a change like this if it was enacted and regulated on the federal level. But as it is written, they have concerns about the impact of these policies on their employees, customers, and their ability to maintain their high standards of customer service.



555 West Washington Ave, Suite 200  
Madison, WI 53703

www.wccf.org  
☎ 608-284-0580  
✉ 608-284-0583

April 30, 2015

TO: Assembly Committee on Public Benefit Reform

FR: Ken Taylor, Executive Director

RE: Opposition to Assembly Bill 177

My name is Ken Taylor and I am the Executive Director of the Wisconsin Council on Children and Families (WCCF). WCCF is the only multi-children's issues advocacy organization in the state. We provide research and policy recommendations on health care, juvenile justice, early care and education, family economic security, racial disparities, and the state budget. WCCF's mission is to ensure that all children grow up in a safe and nurturing environment.

I appreciate having the opportunity to testify today in opposition to AB 177, a program to limit foods purchased under the FoodShare program. By most standards, the diets of almost all American are in need of improvement. I am appreciative that the bill sponsors want Wisconsin families who receive FoodShare to eat healthier foods. However, WCCF is opposing AB 177 because we do not believe that this bill will actually result in families eating healthier foods, and we also do not believe that families who use FoodShare should be singled out for further restrictions of their food purchases.

AB 177 appears to be driven by two separate concerns. First is an effort to designate that 67% of food purchased must be healthy. WCCF does not disagree with the goal of healthier food purchases, but we do not believe this a productive strategy to achieve it. Studies show that only a small proportion of FoodShare purchases, less than 10%, are on soda and snacks. So the proposal that 67% of purchases will be "healthy," based on the WIC list of approved foods, will have little to no effect on the healthiness of the purchases of FoodShare recipients. In addition, basing the list of allowable purchases on the WIC standards is impractical. First, those standards are based on what pregnant and nursing women and their children need, not the general, or aging, population. Second, operationalizing the 67% standards is impracticable. For example, does 67% of each purchase need to be from the WIC list, or is that 67% over the course of a month or a year? How will that data be collected and tracked? What if something not on the list is on sale? Will FoodShare recipients be prevented from being economical and buying items in bulk because that would put them over a predetermined percentage standard? What happens when a purchase is made with both FoodShare and private money, what portion of the purchase is

attributed to FoodShare? And who is charged with enforcing this confusing 67% standard, a high school aged check-out clerk?

A second concern this legislation addresses is a very specific notion about what the “right” kind of seafood is. So fish is approved, but shellfish is not. Salmon yes, clams no. This restriction seems to be based on what someone may have observed in a check-out line at a grocery store, not actual data about FoodShare purchases. With the majority of FoodShare recipients living below half of the poverty line (less than \$10,000 per year for a family of 3), and an average FoodShare benefit for a family of less than \$7.50 per day, the idea that there is much lobster purchasing going on by FoodShare recipients is highly unlikely.

Obesity is a significant public health challenge, with over 70% of Wisconsin adults considered overweight or obese. If we’re genuinely concerned about healthy eating, then we should make sure people have access to affordable healthy food in their neighborhoods, and to educate all people - not just poor people - about making good food decisions. We need a system’s approach to address this very real societal problem, not a punitive approach that targets low income families

So what are the better solutions to this problem?

- Education – to enable participants to make healthier choices
  - Wisconsin Early Childhood Obesity Prevention Initiative (WECOPI)  
WECOPI is a collaborative effort to enhance nutrition and physical activity within early education settings to prevent obesity.
- Improved access – to healthier foods in low income neighborhoods
  - They frequently lack full-service grocery stores where residents can buy a variety of healthier foods – nationally 30 million live in food deserts
  - Increase healthy foods available in neighborhood stores
  - Support FoodShares use at farmers markets, consumer supported agriculture and other farmer to consumer venues



# Survival Coalition

of Wisconsin Disability Organizations

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*P.O. Box 7222, Madison, Wisconsin 53707*

DATE 4/30/15

TO: Assembly Committee on Public Benefit Reform  
FR: The Survival Coalition of Wisconsin Disability Organizations

RE: Opposition to Assembly Bill 177, limiting the foods that may be purchased under FoodShare.

Chairperson Born and Assembly Committee on Public Benefit Reform Members:

The Survival Coalition of Wisconsin Disability Organizations is comprised of over 30 statewide groups representing people with all disabilities and all ages, their family members, advocates and providers of disability services. We would like to bring to your attention some very important concerns regarding Assembly Bill 177 that we believe will significantly impact people with disabilities.

FoodShare is an important program for people with disabilities. According to the Department of Health Services, 22% of FoodShare recipients are either elderly, blind, or have a disability; and 40% of households receiving FoodShare benefits contain at least one individual that is, either elderly, blind, or has a disability.

AB 177 would limit the types of foods that may be purchased using FoodShare benefits and require recipients and retailers to ensure that at least 67% of foods purchased in a given month meet the criteria described in the bill. It is not clear from the bill language where the liability for not meeting these new requirements would lie or what, if any, punitive measures would be taken against individual recipients that do not meet the new standards in a given month. We have strong concerns that AB 177 could result in people with disabilities losing access to food if they are unable to meet technical and complex criteria.

This bill creates extra barriers for individuals with disabilities attempting to access FoodShare benefits. In addition to applying for benefits and locating/finding transportation to a grocery store, individuals with disabilities would now be required to ensure that the foods they purchase meet very specific criteria and would have to ensure that 67% of the food they purchase in a given month meets this criteria. To give an example of the complex system this bill would create, Wisconsinites currently using the Women, Infants and Children (WIC) program, which AB 177 cites as a standard for determining authorized foods, are only allowed to purchase one type of bread-- 100% Whole Wheat Bread in 16 oz packages. These standards also specify that an individual may purchase sliced American cheese but not individually wrapped American cheese.

The Department of Health Services is given authority under the bill to create a list of “authorized foods” based off of the WIC program each year, but it is not clear what criteria is being used to determine if a food is “authorized” in Wisconsin or not. Foods contain many components that can affect health, and healthy diets contain many foods. As a result, it is challenging to determine whether – and the point at which – the presence of desirable nutrients outweighs the presence of nutrients to be avoided in ruling a food “in” or “out.” This could be particularly difficult to ascertain with some pre-packaged foods, which can be of particular need for people with disabilities. Some people with disabilities due to their physical or intellectual limitations have difficulty or cannot prepare entire meals “from scratch” but can independently utilize pre-packaged food items or items that can be microwaved. We believe this bill could jeopardize the autonomy of people with disabilities by making it more difficult for them to prepare meals independently.

A higher percentage of people with disabilities are of lower income and, therefore, more often live in “food deserts.” A “food desert” is an area with little or no access to large grocery stores that offer fresh, healthy and affordable foods--- foods that will most likely be “authorized” by AB177. Instead of such stores, these urban and rural areas often contain only fast food restaurants and convenience stores. Physical access to large grocery stores can be difficult for people with disabilities of low incomes, particularly if the stores are distant, the store is not on a bus line, or if the consumer has no vehicle. Carrying fresh food from grocers can also be a challenge for individuals who must take public transit, walk long distances, or have other physical limitations.

Finally, many people with disabilities are on special diets that may or may not align with the traditional nutrition guidelines. For instance, people with PKU and some types of seizure disorders must eat high-fat or even exclusively-fat diets. People on gluten-free diets, which are sometimes recommended for children with autism, can only use very limited grain products. AB 177 does not take into account any specialized diets that people may adhere to for medical reasons.

Achieving dietary improvements among FoodShare recipients is a complex challenge and people with disabilities who utilize FoodShare have additional considerations that make this proposed legislation concerning.

We ask that you oppose AB 177.

Thank you.

Sincerely,

Survival Co-Chairs:

Maureen Ryan, [moryan@charter.net](mailto:moryan@charter.net); (608) 444-3842;  
Beth Swedeen, [beth.swedeen@wisconsin.gov](mailto:beth.swedeen@wisconsin.gov); (608) 266-1166;  
Kristin M. Kerschensteiner, [kitk@drwi.org](mailto:kitk@drwi.org); (608) 267-0214