



*The Philadelphia Food Policy Advisory Council facilitates the development of responsible policies that improve access for all Philadelphians to culturally appropriate, nutritionally sound, and affordable food that is grown locally through environmentally sustainable practices.*

**Philadelphia Food Policy Advisory Council Testimony  
In Support of Banning the Use of Restrictive Covenants in Areas Underserved by Grocery Stores  
November 30, 2016**

Thank you Chairman Greenlee, Councilwoman Bass, and members of the Committee on Rules. We as the Philadelphia Food Policy Advisory Council (FPAC) are grateful for the chance to engage with you and your colleagues in the absolutely critical issues touched by Bill No. 160720, limiting the use of restrictive covenants or usage restrictions that prohibit a purchaser from using a property as a grocery store.

Large areas of Philadelphia have few supermarkets, and in many neighborhoods none exist. In fact, Philadelphia has the second lowest number of supermarkets per capita of major cities in the nation. This shortage of supermarkets means that low-income residents must travel outside of their neighborhoods to purchase food, or shop at more expensive corner and convenience stores with limited selection and often poor quality food. Insufficient access to affordable and nutritious food in lower-income neighborhoods adds to the total cost of food for neighborhood residents. Nutritionally inadequate diets may exacerbate long-term health problems, for low-income Philadelphia residents who suffer from diet-related health problems, such as heart disease, cancer, and diabetes, at rates significantly higher than those of the general population.

The Philadelphia Food Policy Advisory Council's Food & Health Subcommittee is charged with advising the City on policies and practices that influence food and beverage choices with the aim of improving overall well-being and reducing health disparities for all Philadelphians. Over the past several weeks, subcommittee members have been in touch with key local and national stakeholders to become better informed on the practice and use of restrictive covenants. While we do not know the extent to which grocery store restrictive covenants are a problem here in Philadelphia, we have learned that these types of covenants are not unusual in the grocery industry. For the reasons noted above, in low-income areas which are underserved by healthy food retail, the practice requires our scrutiny to understand when it may thwart the development of grocery stores.

We believe that communities with low access to healthy and affordable food face undue hardship. FPAC supports limiting restrictive covenants and similar arrangements that prohibit a purchaser or lessee from using property where such a restriction would be likely to impede the development of grocery stores in an underserved area. Even though this ban does not guarantee a grocery store will reopen in place of a closed one, we stand ready to work with Councilwoman Bass, your colleagues, the Administration, and stakeholders to understand how restrictive covenants impact food access, and craft a bill that limits them where they are an obstacle to achieving food access. More broadly, we encourage the City to explore strategies for attracting supermarkets to open in underserved areas, as well as to encourage smaller markets to carry a greater variety of healthy items. Together, such policies will help fulfill the vision of healthy and prosperous communities where all Philadelphians have access to healthy affordable food.