

# State SNAP food restrictions spread amid MAHA push

By Parker Litterick and Noah Wicks.

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View online version of the article (with paywall) here:

<https://www.agri-pulse.com/articles/23632-state-snap-food-restrictions-spread-amid-maha-push>.

A growing number of states are seeking Agriculture Department approval to restrict purchases of soft drinks, candy and other sugary foods through the Supplemental Nutrition Assistance Program as the “Make America Healthy Again” movement gains political steam.

USDA has so far approved requests from a dozen states for SNAP restrictions of various kinds and is considering four more, according to an *Agri-Pulse* analysis of federal and state documents. All seek to restrict sales of certain soft drinks and several also target candy purchases.

“Since my confirmation, our department has encouraged states to think differently and creatively about how to solve the many health issues facing Americans,” Agriculture Secretary Brooke Rollins told reporters in June. “One way is by not allowing taxpayer-funded benefits to be used to purchase unhealthy items like soda, candy and junk food.”

Recent data on the types of food SNAP recipients choose to buy is limited, but a [USDA study analyzing 2011 transactions](#) at several grocery stores found that approximately 20 cents out of every dollar SNAP households spent on food purchases went towards sweetened beverages, desserts, salty snacks, candy and sugar. More than 9% of the SNAP household purchases analyzed in the study were for sugar-sweetened beverages, while 6.9% of expenditures were for prepared desserts, 3.43% for salty snacks, and 2.1% for candy.

[USDA data show](#) 41.7 million people participated in SNAP as of May. Roughly 29% (12.4 million) are in states that have proposed SNAP food restrictions, according to the *Agri-Pulse* analysis.

Reforming the SNAP program to limit sugary foods and drinks aligns with the Make America Healthy Again movement's focus on decreasing the consumption of ultra-processed foods, added sugars and artificial dyes. The idea has been publicly supported by major MAHA figures, including Health and Human Services Secretary Robert F. Kennedy Jr.



“If MAHA didn’t exist, this wouldn’t be happening,” said Craig Gundersen, an economist at Baylor University.

The spread of SNAP food restrictions may also to some degree be driven by [incentives included in a rural health fund](#) Republican lawmakers created through the One Big Beautiful Bill to allay

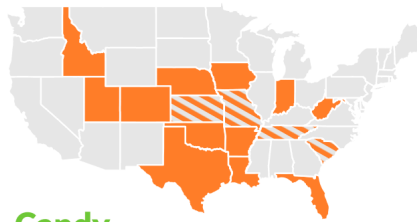
# SNAP restrictions spread

As the 'Make America Healthy Again' movement expands, a growing number of states are embracing restrictions on the types of food that can be purchased through the Supplemental Nutrition Assistance Program.

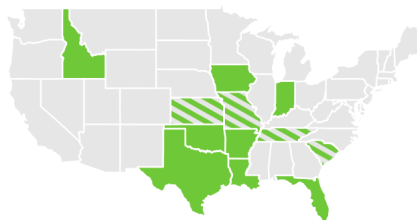
The Agriculture Department has so far approved a dozen waivers targeting soft drinks, candy or desserts. Four more are under consideration.

-  Waiver approved
-  Waiver request submitted

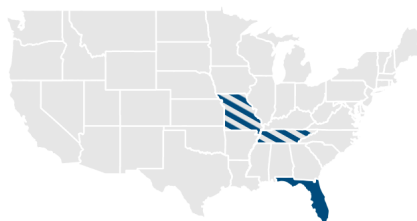
## Soft drinks \*May include soda, diet soda, and/or energy drinks



## Candy



## Packaged desserts



Source: Agri-Pulse analysis of USDA records  
Graphic by Noah Wicks and Parker Litterick

concerns over potential hospital closures resulting from Medicaid cuts. States' efforts to enact waivers are considered as part of the Rural Health Transformation Program's criteria for determining how much funding they receive.

The concept of SNAP food restrictions has seen some Democratic support in the past, but Republican-led states are driving the current effort, submitting 15 of the 16 waivers to date. Colorado is the only state with a Democratic governor to have done so.

“You’ve just heard of three, four, five, six governors doing it. Another three or four are ready to,” Indiana’s Republican Governor Mike Braun said back in June as he tallied up states that had requested waivers. “This should cascade across the country, and with this kind of energy, this kind of enthusiasm, that’s how we fix the underlying issues.”

Brandon Lipps, co-founder of Caprock Strategies and a former deputy undersecretary for Food, Nutrition and Consumer Services at USDA, believes that a political shift sparked by the MAHA movement is enabling the spread of SNAP restrictions across states.

While SNAP restrictions have generally been left to Congress to debate in the past, the MAHA movement is now “using states to force this change up,” Lipps said. He believes bipartisan support for “moving Americans towards a more nutritional diet” — one of MAHA’s core priorities — has helped the idea gain steam.

“The political shift that allowed for this to happen for the first time is really the convergence of the MAHA wing of the MAGA movement with the nutritional positions of a lot of Democrats,” Lipps said, adding that as a result, “the political headwind is very strong and the resistance is very weak.”

**Current proposals vary — and more states could join in**

Lipps believes that at least half of U.S. states will eventually submit SNAP food restriction waiver requests to USDA. He expects all will be approved.

Ohio [plans to submit a request](#) sometime before Oct. 28, Ohio Department of Job and Family Services Communications Director Bill Teets told *Agri-Pulse* in an email. The [National Grocers Association has flagged](#) Alabama, Alaska, California, Delaware, Mississippi, Montana, New Hampshire, Pennsylvania, South Carolina, Virginia and Wyoming as other states likely to consider restrictions.

Current proposals vary significantly, both in complexity and in types of products covered. For instance, Oklahoma's restriction applies to nearly all naturally or artificially sweetened beverages, including flavored water. But Louisiana's only applies to carbonated beverages and specifically exempts flavored carbonated water.

When it comes to candy, Indiana's restrictions cover most varieties. But in Idaho, products that contain flour are exempt. So while SNAP recipients would be barred from using their benefits on a Twix bar in one state, they would be allowed to do so in the other.

In addition to soft drinks and candy, Florida has also received USDA approval to limit SNAP purchases of "prepared desserts," which it defines as "processed, shelf-stable, ready-to-eat, pre-packaged sweet food intended for immediate consumption without any further preparation." Missouri has proposed a ban on similar products.

Tennessee's restrictions, which have yet to be approved by USDA, would bar SNAP recipients from using their benefits on "processed foods" that list sugar, corn syrup, high fructose corn syrup as the first ingredient. They also apply to beverages that list those ingredients first or second on their labels.

For a breakdown of every state's proposed restrictions, [click here](#).

Petitions to alter product eligibility in state SNAP programs are not new. In 2011, New York proposed a waiver to limit sugar-sweetened beverage purchases. USDA denied the proposal, which it found was too large in scope for a pilot program and had an insufficient evaluation design, presented conformity challenges for grocers, and could potentially increase stigmatization of participants, according to [its letter to the state](#).

Now, as a new set of petitions crops up nearly 15 years later, some experts are raising similar concerns.

"This is much more than a pilot if whole substantial states are on the list," said Parke Wilde, a Tufts University economist and former director of design for the SNAP Healthy Incentives Pilot program.

Food manufacturers — facing combined pressures from the SNAP waivers, potential changes to school meals, and a broader Trump Administration crackdown on product ingredients — are

likely to shift their strategies for marketing and formulation of food products to some degree, but it's unclear how substantial those changes will be, Lipps said. Much of that will depend on how long the MAHA movement maintains its political power.

"I think we'll see some short-term shifts," he said. "They'll be more minor than major. But the bigger question is: How long does it sustain?"

### **Some nutrition advocates see potential in restrictions, others worry about enrollment declines**

Thomas Farley, a former commissioner of health for New York City and Philadelphia, believes the waivers hold the potential to limit shoppers' consumption of junk foods. He pointed to a pair of studies that, according to his analysis, suggest consumers could buy between 41% and 51% less sugary foods and beverages with SNAP restrictions in place.

"I'm hopeful that people will come around to supporting this idea because we do have what I consider to be a crisis of obesity in this country and we are very much in need of approaches for solving that," said Farley, who helped work on New York's 2011 proposal to limit soda purchases through SNAP.

In their waiver requests, states pointed to other studies that indicate SNAP restrictions could improve participants' health outcomes. One conducted by scientists at Stanford University and the University of California, San Francisco, found that banning sugar-sweetened beverage purchases in SNAP is "likely to significantly reduce obesity prevalence and type 2 diabetes incidence." Another by researchers at Harvard and Ballit Health Purchasing suggests similar outcomes when restrictions are paired with incentives for fruit and vegetable purchases.

But Gundersen, the Baylor University economist, worries the restrictions will lead to a decline in SNAP participation, which could cause more low-income Americans to be food insecure. Use of SNAP already comes with stigma for participants, and having to sort restricted items from eligible ones at the checkout line will only add to that, he said.

"You can't really measure the stigmatization," he said. "So somebody may say, 'Oh, yeah, it's working great.' But you haven't looked into the hearts of those who are being really hurt by this."

Gundersen said food restrictions would make SNAP more closely resemble the Women, Infants, and Children (WIC) nutrition program, which funds the purchase of specific types of foods for pregnant women and children of up to four years old.

He noted that while more than 78% of eligible infants receive food through WIC, participation falls to 64% for one-year-olds, 44.2% for two-year-olds, 41.4% for three-year-olds, and 24.7% for four-year olds — an indication that children have less taste for the program's limited food options as they outgrow formula.

“Do we want SNAP to look like WIC?” Gundersen asked. “I don’t want SNAP to look like WIC. And that’s really my concern is they’re moving that direction.”

Wilde, the Tufts University economist, believes effectively designing a policy to reduce obesity and chronic disease rates requires providing people “with the resources to purchase healthy foods at the same time as you limit incentives to buy unhealthy foods.” For example, he said SNAP restrictions on sugar-sweetened beverages “has a kind of coherence and sense of public interest purpose” in states that also have a sugar-sweetened beverage tax.

“But if you just have a sugar-sweetened beverage limitation only for low-income Americans and not for middle-income and high-income Americans and only taking something away and not adding resources, it just looks like sticking it to a constituency that’s not all that politically powerful,” he added.

# State SNAP restrictions: What's being banned and where

By Noah Wicks and Parker Litterick.

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<https://www.agri-pulse.com/articles/23634-state-snap-restrictions-whats-being-banned-and-where>.

States across the U.S. are increasingly seeking Agriculture Department approval to ban purchases of soft drinks, candy and prepared desserts through the Supplemental Nutrition Assistance Program as the "Make America Healthy Again" movement spreads.

USDA has so far approved requests from a dozen states to bar certain foods and drinks from being purchased using SNAP dollars and has yet to weigh in on five more, according to an *Agri-Pulse* analysis of federal and state documents. All seek to restrict sales of certain soft drinks and several also target candy purchases.

Below is a breakdown of waiver requests as of Dec. 10, the products they cover, and their status.

## Arkansas

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* July 1, 2026

Products covered

- Soda and low and no-calorie soda, fruit and vegetable drinks with less than 50% natural juice, and other “unhealthy drinks”
- Candy

## Colorado

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* March 1, 2026

*Products covered:*

- Soft drinks. Defined as “nonalcoholic beverages that contain natural or artificial sweeteners,” excluding beverages with greater than 50% of vegetable or fruit juice by volume or that contain milk or milk products, soy, rice, or similar milk substitutes.

## **Florida**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Jan 1, 2026

*Products covered:*

- Soda. Defined as “a beverage that is made with carbonated water and that is flavored or sweetened with added sugars and artificial sweeteners,” excluding carbonated water that is plain or naturally flavored or any beverage that is greater than 50% vegetable or fruit juice by volume or contains less than 5 grams of added sugar.
- Energy drinks. Defined as a beverage containing at least 65 milligrams of caffeine per 8 fluid ounces, not including coffee, tea or any substantially coffee- or tea-based beverage.
- Candy
- Prepared desserts. Defined as a “processed, shelf-stable, ready-to-eat, prepackaged sweet food intended for immediate consumption without any further preparation.”

## **Hawaii**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Aug. 1, 2026

*Products covered:*

- Soft drinks. Defined as "a nonalcoholic beverage that is made with carbonated water and is sweetened with more than 10 grams of sugar per serving." Does not include beverages that that contain milk, milk products, soy, rice, or other milk substitutes, or that is greater than 50% vegetable or fruit juice by volume.

## **Idaho**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Jan 1, 2026

*Products covered:*

- Soda. Defined as “nonalcoholic beverages containing sweeteners,” excluding milk or milk substitutes, beverages with more than 50% juice, and products that require preparation before consumption.

- Candy. Does not include items containing flour or requiring refrigeration.

## **Indiana**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Jan 1, 2026

*Products covered:*

- Soft drinks. Defined as “nonalcoholic beverages that contain natural or artificial sweeteners,” excluding milk or milk products, soy, rice, or similar milk substitutes, or products that are exclusively naturally sweetened using natural vegetable or fruit juice.
- Candy. Does not include products that require refrigeration.

## **Iowa**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Jan 1, 2026

*Products covered:*

- Carbonated and noncarbonated soft drinks, including but not limited to colas, ginger ale, near-beer, root beer, lemonade, and orangeade.
- Naturally or artificially sweetened water
- All drinks or pouches with natural fruit or vegetable use that contain 50% or less natural fruit or vegetable juice by volume, and drink mixes and concentrates intended to be made into beverages with less than 50% or less natural fruit or vegetable juice by volume.
- Candy, candy-coated items, and candy products, including gum, candy primarily intended for decorating baked goods, and hard or soft candies including jelly beans, taffy, licorice, and mints and breath mints.
- Fruits, nuts or other ingredients in combination with sugar, chocolate, honey, or other natural or artificial sweeteners in the form of bars, drops or pieces. Caramel wraps, caramel corn or other candy-coated apples or other fruit.
- Dried fruit leathers or other similar products. Granola bars that do not contain flour.
- Taxable food items as defined by the Iowa Department of Revenue.

## **Kansas**

**Documents:** [Request](#)

*Status:* Awaiting approval

*Target implementation date:* Eighteen months after approval date

*Products covered:*

- Soft drinks. Defined as “nonalcoholic beverages that contain natural or artificial sweeteners,” excluding beverages that are greater than 50% vegetable or fruit juice by volume or that contain milk or milk products, soy, rice or similar milk substitutes.
- Candy. Does not include products containing flour or requiring refrigeration.

## **Louisiana**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Jan. 15, 2026

*Products covered:*

- Soft drinks. Defined as “any carbonated beverage containing high fructose corn syrup or artificial sweeteners.” Excludes flavored carbonated water, beverages containing 50% or more vegetable or fruit juice by volume, and beverages that contain milk or milk products, soy, rice or similar milk substitutes.
- Energy drinks. Defined as “carbonated or non-carbonated beverages containing a stimulant such as fortified caffeine, guarana, glucuronolactone, or taurine” and “specifically formulated to enhance energy, alertness or physical performance.”
- Candy. Does not include products containing flour, protein bars, granola bars, and baking ingredients such as sprinkles, chocolate melting wafers, toffee bits, or chocolate chips.

## **Missouri**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Oct. 1, 2026

*Products covered:*

- Carbonated and noncarbonated soft drinks, including but not limited to colas, ginger ale, near-beer, root beer, lemonade and orangeade
- All drinks or punches containing 50% or less natural fruit or vegetable juice by volume, along with beverage mixes and concentrates intended to make such drinks.
- Candy.
- Prepared desserts. Defined as “a processed, shelf-stable, ready-to-eat, pre-packaged sweet food intended for immediate consumption” without any further preparation.

## Nebraska

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Jan. 1, 2026

*Products covered:*

- Soda. Defined as “any carbonated non-alcoholic beverage that contains water, a sweetening agent, flavoring and carbon dioxide gas to create carbonation.” Does not include mineral water sold in containers or beverages containing milk products.
- Energy drinks. Defined as “carbonated or non-carbonated beverages containing a stimulant” and “specifically formulated to enhance energy, alertness, or physical performance.” Does not include sports drinks like Gatorade.

## North Dakota

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Sept. 1, 2026

*Products covered:*

- Soft drinks. Defined as "any carbonated, nonalcoholic beverages that contain water, a sweetening agent, flavoring, and carbon dioxide gas to create carbonation.
- Energy drinks. Defined as "any carbonated or non-carbonated beverage containing a stimulant such as fortified caffeine," that specifically formulated to enhance energy, alertness, or physical performance." Does not include sports drinks.
- Candy. Defined as "as a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts, or other ingredients or flavorings in the form of bars, drops, or pieces. It does not include any preparation containing flour or requiring refrigeration."

## Ohio

**Documents:** [Request](#)

*Status:* Awaiting approval

*Target implementation date:* Jan. 1, 2026

*Products covered:*

- Sugar-sweetened beverages. Defined as beverages with sugar, corn syrup, high-fructose corn syrup, or similar caloric sweeteners as the primary ingredient, or as the second ingredient if the first ingredient is carbonated water..

## **Oklahoma**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Jan. 1, 2026

*Products covered:*

- Soft drinks. Defined as “any non-alcoholic beverage that contains natural or artificial sweeteners,” or any drink advertised as a “soda, pop, cola, energy drink, or energy supplement.” Does not include beverages that contain more than 50% fruit or vegetable juice by volume, or drinks containing milk or milk substitutes.
- Candy. Includes chocolate bars that contain flour, but does not include cakes, cookies, muffins, brownies, pastries, bread or other baked goods.

## **South Carolina**

**Documents:** [Governor’s executive order](#), [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Aug. 31, 2026

*Products covered:*

- Soft drinks. Defined as “any nonalcoholic beverage made with carbonated water and flavored or sweetened, or both, with sugar or other natural or artificial sweeteners.”
- Sweetened beverages. Defined as any beverages immediately ready for consumption that are sweetened with 5 or more grams of added sugar or other natural or artificial sweeteners, like sweetened coffee, tea and lemonade.
- Energy drinks. Defined as "beverages containing at least sixty-five (65) milligrams of caffeine per eight (8) fluid ounces that are advertised as being specifically designed to provide metabolic stimulation or an increase to the consumer's mental or physical energy."
- Candy. Does not include protein bars, granola bars, baking ingredients, or baked goods.

## **Tennessee**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* July 31, 2026

*Products covered:*

- Processed foods that list sugar, corn syrup, high fructose corn syrup, or a similar caloric alternative as the first ingredient, excluding granulated sugar, raw sugar, and other single-ingredient sugars used for cooking and baking.
- Beverages that list carbonated water and sugar, corn syrup, high fructose corn syrup, or a similar caloric alternative as the first two ingredients.

## **Texas**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* April 1, 2026

*Products covered:*

- Sweetened drinks. Defined as “nonalcoholic beverages made with water that contain 5 grams or more of added sugar or any amount of artificial sweetener,” excluding drinks containing more than 50% vegetable or fruit juice by volume or that include milk or milk products or soy, rice or similar milk substitutes.
- Candy. Does not include products “used exclusively for cooking,” like chocolate bits and cake sprinkles.

## **Utah**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Jan. 1, 2026

*Products covered:*

- Soft drinks. Defined as “a nonalcoholic beverage that is made with carbonated water and is flavored and sweetened with artificial sweeteners,” excluding drinks containing more than 50% vegetable or fruit juice by volume or milk, milk products, and soy, rice, or other milk substitutes.

## **Virginia**

**Documents:** [USDA press release](#), [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* April 1, 2026

*Products covered:*

- Sweetened drinks. Defined as “a beverage that is made with carbonated water and that is flavored or sweetened with added sugar or artificial sweeteners.” Does not include plain or “naturally flavored” carbonated water with less than five grams of added sugar, beverages marketed primarily as “sports foods to increase hydration,” non-carbonated beverages, or milk, milk products, and soy, rice, or other milk substitutes.

## **West Virginia**

**Documents:** [Request](#), [Approval letter](#)

*Status:* Approved by USDA

*Target implementation date:* Jan. 1, 2026

*Products covered:*

- Soft drinks. Defined as “a nonalcoholic beverage that is made with carbonated water and is flavored and sweetened with artificial sweeteners,” excluding drinks containing more than 50% vegetable or fruit juice by volume or milk, milk products, soy, rice, or other milk substitutes.

# Rural hospital funding tied to SNAP waiver incentives

By Noah Wicks and Parker Litterick.

Published by Agri-Pulse on Oct. 22, 2025

View online version of the article (with paywall) here:

<https://www.agri-pulse.com/articles/23636-rural-hospital-funding-tied-to-snap-waiver-incentives>.

Incentives included in a rural hospital funding program may be driving increased support for SNAP food restriction waivers.

The Rural Health Transformation Program was created by Republican lawmakers as partial compensation for Medicaid cuts in the One Big Beautiful Bill Act. The \$50 billion fund aims to “empower states to strengthen rural communities across America” by improving healthcare access, quality, and outcomes.

Set to deliver \$10 billion annually over five fiscal years, the program will allocate half of its yearly funding equally among states that apply. The remaining half will be distributed to states based on “rural population, the proportion of rural health facilities in the states, the situation of certain hospitals in the state, and other factors,” according to a [notice of funding opportunity](#).

One of those “other factors” is whether the state has pursued a SNAP restriction waiver. The RHT Program scores states on a zero to 100 point scale based on the status of their waiver.

- Zero points for no pending or approved waiver
- 25 points for an active bill in the state legislative process
- 50 points for a passed state bill to submit a USDA waiver
- 75 points for a submitted waiver to USDA
- 100 points for a USDA-approved waiver

Beyond SNAP restriction waivers, eligibility for additional funding may also be affected by other factors, such as a state’s plans to require nutrition in continuing medical education and its use of certificate of need laws.

# Grocers scramble to adapt to SNAP food restrictions as implementation nears

By Noah Wicks and Parker Litterick.

Published by Agri-Pulse on Oct. 29, 2025

View online version of the article (with paywall) here:

<https://www.agri-pulse.com/articles/23679-grocers-scramble-to-adapt-to-snap-food-restrictions-as-implementation-nears>.

Tom Mulholland is in a time crunch.

New Supplemental Nutrition Assistance Program purchasing restrictions are set to take effect in Iowa on Jan. 1, and the independent grocer is only beginning to parse through the roughly 4,000 products on his shelves to figure out which apply. He's not yet sure if the ban includes ice cream bars or potato chips, so he's waiting on the Iowa Health and Human Services Department for clarification on those and other products he has questions about.

Unless his store's software system gets an upgrade, Mulholland expects he and his staff will need to spend 20 hours or more "on the damn computer" typing out the 12-digit product codes for items subject to new restrictions and then checking boxes that classify these products as SNAP-ineligible. But first, he must compile a list of banned items, all while dealing with an influx of shoppers looking to buy turkey, ham and other year-end staples as the holiday season approaches.

"We've got two months to go, basically, and I'm nowhere near ready," said Mulholland, who operates Mulholland Grocery in Malvern, Iowa. "And I'm betting that that's the way most stores are."

Retailers around the country are scrambling to figure out how to accommodate a wave of new SNAP restrictions limiting purchases of soft drinks, candy and other sugary products in a dozen U.S. states next year. Nine USDA-approved SNAP waivers are set to take effect in January, leaving grocers, supermarket operators and convenience store owners racing against the clock to become compliant, despite confusion over what items fall within the definitions for restricted products.

"We need more guidance from the states," said Margaret Mannion, the director of government relations for the National Association of Convenience Stores. "I don't think that our folks are getting the amount of information that they're looking for. And as we get closer and closer to Jan. 1, those panic alarms are going off."

**Grocers seeking guidance amid confusion over definitions**

Twelve states have officially secured USDA approval to bar SNAP recipients from using their benefits on soft drinks, while eight have done the same for candy, [according to an Agri-Pulse analysis of federal and state documents](#). Florida has also gotten approval to restrict SNAP purchases of “prepared desserts,” which it defines as “processed, shelf-stable, ready-to-eat, pre-packaged sweet food intended for immediate consumption without any further preparation.”

[Definitions vary significantly](#) between states. Some restrictions apply to nearly all kinds of sweetened beverages, while others only apply to carbonated ones. Granola bars may be considered candy in some states, while in others, products containing flour — like Twix bars — are not.

Under the new rules, Stephanie Johnson, vice president of government relations and political affairs for the National Grocers Association, expects between 10,000 and 20,000 items to be restricted per state, at a minimum. Retailers will need to sift through their products, figure out which ones apply, and then flag those in their point-of-sale systems to ensure they can’t be purchased using SNAP dollars — but many are hesitant to even begin the process amid confusion over current definitions.

“I probably ought to be a little more proactive, but have been kind of sitting on the sidelines saying ‘surely they’ll decide these things,’” Indiana grocery and convenience store owner Mike Planalp said of SNAP officials in his state. “But it doesn’t seem like they’re going to.”

Planalp isn’t quite sure whether the restrictions apply to marshmallows, one of many products he says falls into a “gray area.” If stores were left to decide themselves, interpretations could differ, he said. This could frustrate customers who may not be able to use SNAP benefits on an item in one store only to discover another across the street that would allow that purchase.

"Our customers are coming in, they're going to be confused. We're going to be confused. And we're put in the role of being the enforcer on this, which I don't believe should be our job," said Planalp, who owns six Save-A-Lot food stores, a small independent grocery store and a convenience store.

Joe Lackey, the president of the Indiana Grocery and Convenience Store Association, has seen “mass confusion” among retailers trying to navigate the new restrictions. He said state officials have provided little guidance so far. Even he can’t quite figure out exactly what falls into the categories of a “soft drink” or “candy”.

“It’s a mess,” Lackey said.

Some states, like Oklahoma and Idaho, are making lists of specific products that will include barcode numbers for each, easing retailers’ burdens in trying to interpret the restrictions on their own, Johnson said. But others have signaled an unwillingness to do so, she added.

Shannon McCord, who owns Ideal Market in Superior, Nebraska, is thankful that his state is compiling its own product list. Without it, implementing the new SNAP requirements would be

“1,000 times more expensive” for McCord, since he’d need to sort through the nearly 20,000 items on his shelves to piece together which are restricted.

“If they left it up to the individual store owners to figure out what’s allowable and what’s not, that would be a death blow to mom and pop stores,” McCord said.

### **Meeting new requirements to take money, labor**

The costs of implementing waivers could add up, Mannion said. Piecing together which products are banned, integrating technology needed to limit purchases, and training staff to understand the new rules will require time, money and manpower — which small retailers in particular may struggle to provide, she said.

“You have to think about it from the mind of somebody who's not only the owner of the store, but they're HR, they're the checkout person, they're IT, they're the janitor,” Mannion said.

A report released by the National Grocers Association, the National Association of Convenience Stores and FMI-The Food Industry Association in September estimates that SNAP purchasing restrictions will require retailers to pay up to \$1.6 billion up front for software upgrades, labor and other one-time costs. Maintaining compliance will cost around \$759.1 million each year, according to the analysis, which was done by Timothy Richards of Badger Economics.

Updating point-of-sale systems — which enable grocers to ring up items, properly apply taxes, and track what customers have purchased — to ensure SNAP-ineligible products are flagged at the check-out line is one major factor behind these expected costs. Many retailers will not only need to pay one-time costs to have new software installed on their computers, but also for future software updates, according to the report.

Supercenters are expected to see the highest time and labor costs for upgrading point-of-sale (POS) systems. The report estimates that supercenters could pay for 200 hours worth of labor per store for first-time updates and 110 hours per week for ongoing upgrades. In comparison, small retailers are expected to pay for up to 40 hours of labor for initial updates per store and 20 hours per week for continued updates.

Although supercenters will pay more for the time and labor associated with system updates, the costs don’t change much in proportion to the size of the store. According to the report, many of these costs, including updating POS systems and hiring IT help, are fixed, which means small retailers will have to do the same amount of work to comply as larger retailers, but will have less revenue to absorb the expenses.

As retailers scramble to update software systems, Jeff Klaus, general manager for Retail Data Systems, believes point-of-sale companies are likely to see more customers. He said most should be able to accommodate the changes easily, noting that several have already successfully revamped stores’ systems to comply with sales tax changes in certain states.

“We had to go through and redo all the taxation for hundreds of stores — and nobody even knows we’re doing it,” Klaus said, referring to Retail Data Systems’ work to change point-of-sale systems after Kansas removed a state sales tax on food earlier this year.

On top of buying software, the report suggests retailers will also need to pay to train their employees on the requirements, market the new rules to customers, and monitor their stores to ensure compliance.

### **Restricting products could lead to loss in sales for retailers**

In addition to the added costs associated with implementing the waivers, store owners are also expecting to see sales of restricted products fall. While McCord, the Nebraska grocer, said SNAP purchases only represent around 5% of his sales, losing some of this business still could have an impact in a time when “money’s tighter than it's ever been.”

“It’s not a lot,” McCord said of his SNAP sales, but added that “when you’re dealing with a 1% profit margin, every little bit helps.”

According to the FMI, NACS and NGA report, supercenter operators expect to lose about \$10,000 in revenue per store per week from lost sales due to the restrictions. Each supermarket, by contrast, is slated to lose an estimated \$8,420 in weekly sales, while each convenience store is predicted to lose around \$1,330 each week.

McCord also fears he may lose customers to what he calls “border bleed.” His store is located just three miles from the Kansas border, where a waiver has been proposed but not yet approved by USDA. With Nebraska’s restrictions set to take effect on Jan. 1, he worries locals will choose to buy groceries out of state.

“If a customer comes in and finds out they can’t buy their 24-pack of Coca Cola with their EBT card, then they’re just going to start shopping in Kansas for their groceries instead,” he said.

Mannion is also not sure whether restrictions would apply to online purchases from a store in a state without a waiver that are delivered to a state with a waiver. She called it a “compliance headache” and said NACS has asked USDA for additional guidance.

Both McCord and Planalp, the Indiana grocer, told *Agri-Pulse* they’d like to see the federal government impose uniform SNAP food restrictions nationwide, rather than letting states craft varying proposals. In the meantime, they’re hoping for more specifics on what products are covered as they rush to get their stores ready by Jan. 1.

“I just don’t know what the right thing to do is right now,” Planalp said. “And I don’t imagine in two months, I’m gonna know much more.”