



FW: FNCS Thanks: Food Restriction Waivers and General Notice Rule Awareness Note

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FYI

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Subject: FNCS Thanks: Food Restriction Waivers and General Notice Rule Awareness Note

186	12/30/2025	[SNAP] Food Restriction Waivers and General Notice Rule Informational update on the General Notice Rule and SNAP demonstration waiver projects that temporarily waive the definition of SNAP eligible foods, referred to as SNAP Food Restriction Waivers. No approval necessary, informational only Program POC: Melissa Pagnozzi  SNAP Food Restriction Waivers and General Notice Rule Short Form 12 30 2025.docx	12/30 TAO: Coordinated with OGC?	SDC (1/2/26)- thanks for the information.
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Organization: SNAP	Date of Submission: 12/30/2025
Informational Memo for FNS Policy Officials	
Food Restriction Waivers and General Notice Rule To date, FNS has approved 18 State agencies to implement SNAP demonstration waiver projects that temporarily waive the definition of SNAP eligible foods, referred to as SNAP Food Restriction Waivers. FNS has approved these 18 State agencies to restrict the food items that SNAP households can purchase using SNAP benefits. Each State agency’s waiver is unique, but generally restricts non-nutritious, accessory food items such as sweetened beverages, candies, and prepared desserts. If FNS determines that a SNAP demonstration project waiver “will likely have a significant impact on the public,” federal rules of 7 CFR 282.1(b) require FNS to publish a General Notice in the Federal Register at least 30 days prior to implementation. Appendix 1 provides the rule text. Applicability of General Notice Rule to SNAP Food Restriction Waivers SNAP has determined that the General Notice Rule of 7 CFR 282.1(b) is not applicable to the Food Restriction Waivers. Food Restriction Waivers will limit the accessory food items that SNAP households residing in implementing States can purchase with SNAP, but they will not change SNAP eligibility criteria, allotment levels or access to staple foods. Moreover, SNAP benefits are supplemental, calculated to cover only 70 percent of the household’s monthly food budget. SNAP households will remain free to use cash to purchase SNAP restricted items. Background • Each State agency’s Food Restriction Waiver is unique, but generally they restrict non-nutritious, accessory food items such as sweetened beverages, candies, and prepared desserts. • Five State agencies (IA, IN, NE, UT, and WV) will begin implementing these waivers effective January 1, 2026, with the other approved State agencies following at various points in 2026. Appendix 2 provides a chart of the 18 approved States and implementation dates. • FNS is approving these waivers for a 2-year initial period, with the opportunity to extend for a total of up to 5 years. • In FY 2025, approximately 1 in 8 Americans participated in SNAP. SNAP households residing in the 18 States implementing a Food Restriction Waiver represent a considerably smaller share of that minority. • Prior to waiver implementation, State agencies have been engaging intensively with SNAP retailers to coordinate implementation and incorporate retailer feedback. • State agencies are also providing notification and informational materials about the changes to SNAP households and other stakeholders and have developed websites to inform the public about the changes. All States have issued press releases regarding the waivers and media coverage has been extensive both locally and nationally. • FNS has also created a webpage which posts all approved Food Restriction Waivers publicly, summarizes restricted foods, and provides implementation dates. • Prior to waiver implementation, FNS plans to issue State-specific notices to retailers that serve SNAP participants of States implementing Food Restriction Waivers.	

Appendix 1: 7 CFR 282.1(b) Regulatory Text

Federal rules at 7 CFR 282.1(b) include the below regarding SNAP demonstration waiver projects and noticing in the Federal Register:

Notices. At least 30 days prior to the initiation of a demonstration project, FNS shall publish a General Notice in the Federal Register if the demonstration project will likely have a significant impact on the public. The notice shall set forth the specific operational procedures and shall explain the basis and purpose of the demonstration project. If significant comments are received in response to this General Notice, the Department will take such action as may be appropriate prior to implementing the project. If the operational procedures contained in the General Notice described above are significantly changed because of comments, an amended General Notice will be published in the Federal Register at least 30 days prior to the initiation of the demonstration project, except where good cause exists supporting a shorter effective date. The explanation for the determination of good cause will be published with the amended General Notice. The amended General Notice will also explain the basis and purpose of the change.

Appendix 2: Table illustrating approved SNAP Food Restriction Waiver State agencies

State	Target Implementation Date	Summary
Indiana	1/1/2026	Restricts purchase of soft drinks and candy.
Iowa	1/1/2026	Restricts all taxable food items as defined by the Iowa Department of Revenue except food producing plants and seeds for food producing plants.
Nebraska	1/1/2026	Restricts purchase of soda and energy drinks.
Utah	1/1/2026	Restricts purchase of soft drinks.
West Virginia	1/1/2026	Restricts purchase of soda.
Idaho	2/15/2026	Restricts purchase of soda and candy.
Oklahoma	2/15/2026	Restricts purchase of soft drinks and candy.
Louisiana	2/18/2026	Restricts purchase of soft drinks, energy drinks, and candy.
Colorado	3/1/2026	Restricts purchase of soft drinks.
Texas	4/1/2026	Restricts purchase of sweetened drinks and candy.
Virginia	4/1/2026	Restricts purchase of "sweetened beverages."
Florida	4/20/2026	Restricts purchase of soda, energy drinks, candy, and prepared desserts.
Arkansas	7/1/2026	Restricts purchase of soda, fruit and vegetable drinks with less than 50% natural juice, unhealthy drinks, and candy.
Tennessee	7/31/2026	Restricts purchase of processed foods and beverages such as soda, energy drinks, and candy.
Hawaii	8/1/2026	Restricts purchase of soft drinks.
South Carolina	8/31/2026	Restricts purchase of candy, energy drinks, soft drinks, and sweetened beverages.
North Dakota	9/1/2026	Restricts purchase of soft drinks, energy drinks, and candy.
Missouri	10/1/2026	Restricts purchase of candy, prepared desserts, and certain unhealthy beverages.