



June 23, 2026

Christina Burt
Assistant Deputy Director
Office of Job and Family Assistance
30 East Broad Street
Columbus, OH 43215

Dear Assistant Deputy Director Burt:

On June 12, 2026, the Ohio Department of Job and Family Services requested to modify the State agency's Supplemental Nutrition Assistance Program (SNAP) Food Restriction Waiver. The State agency seeks to expand its restricted food definition.

The Food and Nutrition Administration (FNA) initially approved the Ohio State agency to implement a Food Restriction Waiver on March 4, 2026. The State agency's approved restricted foods definition included beverages sweetened 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. The State agency has now requested to expand on that definition by adding all fountain drinks as restricted items, categorically prohibiting them from SNAP purchase under the waiver.

FNA approves this modification request. As expressed in the State agency's request, the modification is intended to address feedback from retailers and ease implementation. The change is a practical simplification meant to support accurate implementation of the waiver. While most fountain drinks would be restricted under the State's original definition, not all would be restricted (e.g., diet soda or seltzer water.) Ohio retailers that offer fountain drinks have expressed concern over the operational challenge for store clerks to discern what beverage is in a customer's cup at the checkout line.

Fountain drinks are already restricted under SNAP policy if they are consumed in store, as section 3(k) of the Food and Nutrition Act of 2008 explicitly limits SNAP eligible foods to products "for home consumption." Moreover, Ohio SNAP households will continue to be able to purchase bottled or canned versions of beverages such as seltzer water or diet soda provided those items are not sweetened 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.

As approved by FNA on March 4, 2026, Ohio will implement the waiver on October 1, 2026. All other terms and conditions in the initial waiver approval signed March 4, 2026, remain in effect.

FNA applauds Ohio and its SNAP team for the efforts you have made towards the implementation of your SNAP Food Restriction pilot thus far. We look forward to continuing to support your efforts to successfully implement this innovative and impactful project on October 1, 2026.

Sincerely,

A handwritten signature in blue ink, reading "Shiela Corley". The signature is fluid and cursive, with the first name "Shiela" being more prominent than the last name "Corley".

SHIELA CORLEY

Acting Administrator, Food and Nutrition Administration
U.S. Department of Agriculture