



U.S. DEPARTMENT OF AGRICULTURE

February 25, 2026

Stephanie Muth  
Executive Commissioner  
Texas Health and Human Services  
4601 W. Guadalupe Street  
Austin, TX 78751

Dear Executive Commissioner Muth:

On January 23, 2026, the Texas Department of Health and Human Services requested to modify the State agency's Supplemental Nutrition Assistance Program (SNAP) Food Restriction Waiver's definition of "sweetened drinks." As expressed in the State agency's request letter, this modification is intended to clarify that naturally sweetened beverages and medical grade electrolyte drinks are eligible for purchase with SNAP benefits and correct a Texas Administrative Code citation.

Specifically, the State requests that "sweetened drinks" be defined as nonalcoholic beverages made with water that contain five grams or more of added sugar or any amount of artificial sweetener. Excluded from this definition are beverages: (1) containing milk or milk products; (2) containing soy, rice, or similar milk substitutes; (3) containing more than 50 percent of vegetable or fruit juice by volume; (4) containing natural sweeteners derived from plants (such as Stevia, Stevia Leaf Extract, and Monk Fruit) with less than five grams of added sugar; or (5) considered medical grade electrolyte drinks used for illness related to dehydration. Medical grade electrolyte drinks do not include any beverage marketed primarily as a sports drink.

The Food and Nutrition Service (FNS) approves this modification request. This approval is for 2 years, from April 1, 2026, through March 31, 2028. All other terms and conditions of FNS's August 4, 2025, approval remain in effect.

FNS applauds Texas and its SNAP team for the significant efforts you have made towards 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 April 1, 2026.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick A. Penn". The signature is stylized and fluid.

PATRICK A. PENN  
Acting Administrator, Food and Nutrition Service  
Deputy Under Secretary, Food, Nutrition, and Consumer Services  
U. S. Department of Agriculture