

SNAP Healthy Choice Waiver

Effective January 1, 2026

Soda/Soft Drinks and Energy Drinks will no longer be eligible for purchase with SNAP/EBT benefits in the State of Nebraska.

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Purchases

- SNAP Healthy Choice Waiver applies to:
 - Purchases made with retailers located in Nebraska.
 - Purchases made by customers with benefits issued by another state must follow the Nebraska Waiver. (e.g., South Dakota customer making purchases in Nebraska)
 - Purchases online with a Nebraska retailer must follow the Nebraska Waiver. (e.g., Nebraska online retailer selling to customers in state or out of state)
 - Purchases made online by customers residing in Nebraska.
 - Purchases made through an online retailer that are delivered to a Nebraska address or picked up at a Nebraska address must follow the Nebraska Waiver. (e.g., Amazon, Instacart, etc.)

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Webinar Purpose

- Brief overview of the new SNAP Healthy Choice Waiver that becomes effective January 1, 2026.
- Answer questions about the Waiver.
- Retailers are welcome to participate in as many of the webinars as you would like. Your employees are also welcome to join a webinar. Webinar dates and links are listed at: [SNAP Healthy Choice Webinars](#)

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Waiver Purpose

- Primary rationale is to improve public health and combat chronic diseases like obesity.
- There is a connection between high obesity rates and sugary drinks and chronic diseases.
- Data suggests that children who consume high levels of soda are more likely to have health issues and behavioral problems.

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Definitions

- **Sodas/Soft Drinks/Carbonated Beverages** – Any carbonated non-alcoholic beverage that contains water, a sweetening agent, flavoring (including but not limited to sugar, high-fructose corn syrup, or artificial sweeteners), and carbon dioxide gas to create carbonation and is intended for human consumption.

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Definitions

- **Energy Drinks** - Any carbonated or non-carbonated beverages containing a stimulant such as fortified caffeine, guarana, glucuronolactone, or taurine that is intended for human consumption. Energy drinks are specifically formulated to enhance energy, alertness, or physical performance.

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Definitions

- **“Soft Drinks”** and **“Energy Drinks”** are available in various flavors, formulations, packaging and brands. However, beverages marketed primarily as sports drinks to increase hydration, like Gatorade or medically necessary nutritional products, are not included.

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Definitions

- **“Soft Drinks”** and **“Energy Drinks”** do not include beverages that contain milk or milk products; soy, rice, or similar milk substitutes; mineral water sold in containers; or specialty foods that are liquids or that are to be added to a liquid and that are intended to be a substitute in the diet for more commonly used food items. This can include, but is not limited to, infant formula or meal replacement shakes.

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Definitions

- **Added Sugars** – Cornstarch, Corn Syrup, Caramel, Dextrin, Dextrose, High Fructose Corn Syrup, Invert Sugar, Invert Sugar Syrup, Lactose, Hydrolyzed Lactose, Maltose, Malt Syrup (Malt Extract), Maltodextrin, Molasses (Saccharum Officinarum L.), Sucrose, Sucralose, L-Arabinose, Levulose, D-Sorbitol, D-Xylose, Maltol, Sucralose, Xylitol, Tapioca Starch, Glycerin, Synthetic Glycerin.

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Definitions

- **Added Sweeteners** - Acesulfame Potassium, Advantame, Aspartame, Licorice Extract Powder (Glycyrrhiza Spp.), Mannitol, Neotame, Saccharin (Ammonium Salt, Calcium Salt, Sodium Salt, Inositol), Stevia, Monk Fruit Extract.

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Definitions

- **Stimulants**— Any form of caffeine added to a beverage or beverage mix that is not derived directly and solely from the brewing of tea leaves or coffee beans and water. Examples of stimulants: caffeine, Guarana, Glucuronolactone, Taurine, Synephrine, etc. (Ginseng, Carnitine, Beth-alanine, Bitter Orange, Ginger, Ginkgo, Methylxanthines, B-vitamins, Yerba Mate)

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Definitions

- **Carbonated**— Any non-alcoholic beverage that contains water, a sweetening agent, flavoring, and carbon dioxide gas to create carbonation.
- **Concentrated Liquid/Powder Drink Mixes** - Liquid concentrate or powder that is intended to be mixed with water to be consumable.

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Alternative Beverages

Sparkling Water, Fruit-Infused Water, Green Tea, Black Tea, Coffee, Fruit Juice, Vegetable Juice, Coconut Water, Matcha, Kombucha, Smoothies, Milk, Nutritional Drinks/Shakes.

Examples:

Sparkling Water - Provides hydration no added sugars or stimulants

Fruit-Infused Water – Add fruits, vegetables or herbs can provide added nutrients

Green Tea – Supports bone health, improving longevity, and lowering cholesterol

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Alternative Beverages

Examples:

Black Tea – Promotes heart health, reducing risk of stroke, and decreasing the risk of certain cancers

Coffee - Source of strong antioxidants

Fruit Juices – Source of vitamins, minerals, and other nutrients

Vegetable Juices – Source of vitamins, minerals, and other nutrients

Coconut Water - source of minerals, electrolytes, and antioxidants

Matcha – Offers sustained energy and focus

Kombucha – Potential source of probiotics

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Alternative Beverages

Examples:

Smoothies – Provides natural energy

Milk – Contains calcium and phosphorous to promote healthy teeth

Nutrition Drinks/Shakes – Source of vitamins, minerals, and other nutrients

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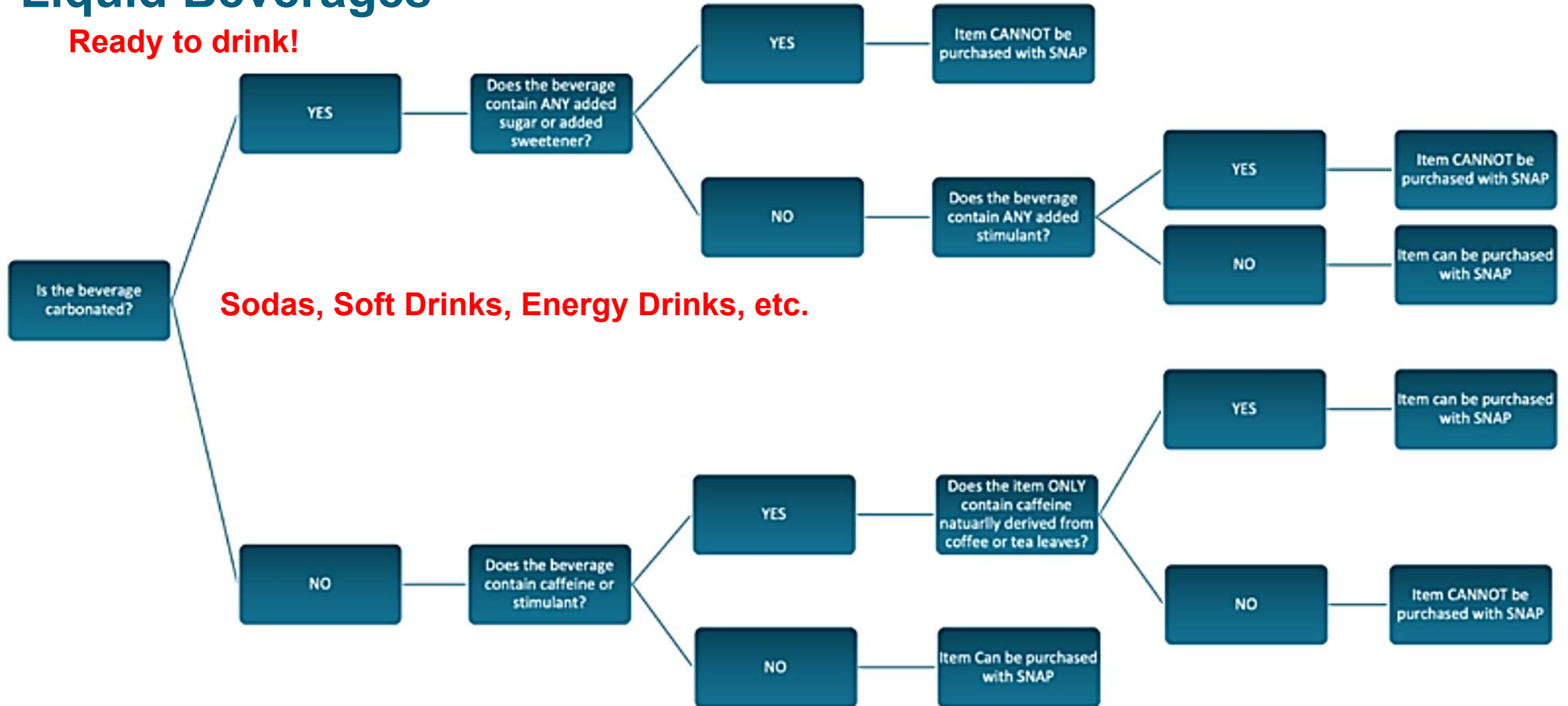
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Product Matrix

Liquid Beverages

Ready to drink!



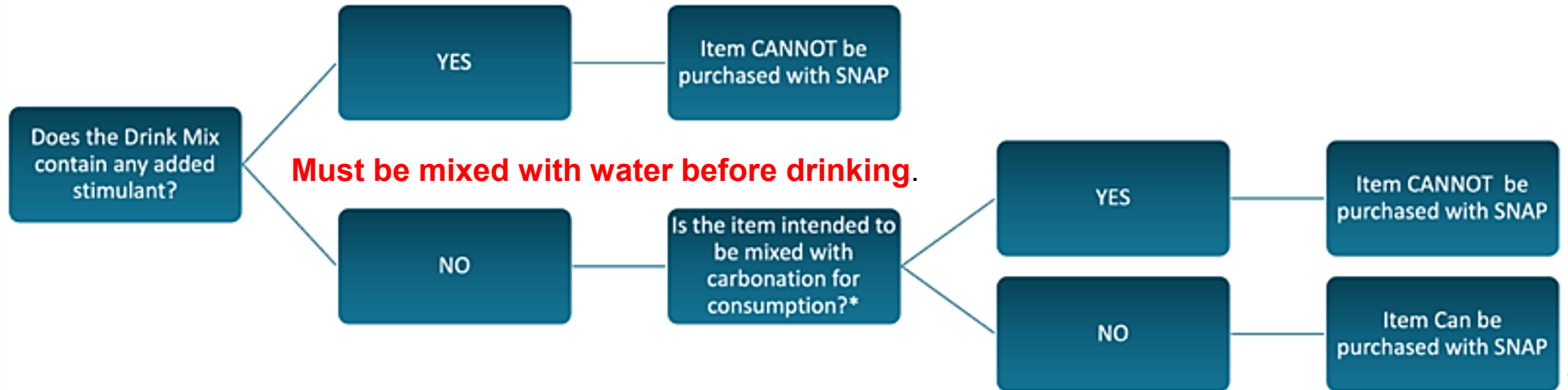
Sodas, Soft Drinks, Energy Drinks, etc.

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Product Matrix

Concentrated Liquid or Powdered Drink Mixes

Watch For Energy Added, +Energy, etc.



*Example – SodaStream or Ninja Thrasti Drink Mix

Expectation of Retailers

- Contact your POS system/provider – the retailer is solely responsible for project compliance with the third-party e-commerce platforms.
- Training of your staff – what assistance would be helpful?

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Ways DHHS Can Assist

- Posters & Signage
 - For front of store, cash registers, shelving, Social Media accounts, etc.
 - Can be in color or black-n-white
 - Other languages, which?
- Assistance with determining ineligible and eligible products?

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Compliance/Monitoring

- A mailing was sent out to all retailers on September 23. If you have not received the mailing, please contact DHHS at DHHS.SNAPRetailers@nebraska.gov and a copy can be emailed to you.

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Compliance/Monitoring

- **The Retailer Compliance Attestation Form** affirms that the Retailer will comply with SNAP Healthy Choice Waiver by implementing the necessary changes to ensure that the restricted item will not be purchased with SNAP funds effective January 1, 2026.

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Compliance/Monitoring

- The **Retail Implementation Form** asks how your retail location(s) will implement the changes, and if there is additional information or assistance that is needed to help implement the changes.
- The forms should be returned to DHHS by October 17, 2025.

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Compliance/Monitoring

- Part of the waiver included collecting and measuring data from Nebraska retailers to evaluate the waiver; to complete the evaluation project, Nebraska has partnered with Public Consulting Group (PCG).
- Not mandatory for retailers to participate. However, retailer participation will help DHHS to obtain the most accurate data.
- Results will not be shared publicly, and results will only be shared with DHHS in the aggregate; no individual retailer will be identified.

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Compliance/Monitoring

- Nebraska would like to work with retailers to ensure compliance with the waiver but will report known non-compliance to USDA Food and Nutrition Services (FNS). FNS ultimately will be responsible for any consequences related to compliance.
- Not completing and returning the Attestation/Implementation form is considered non-compliance.

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Consumers/SNAP Recipients

- Letters, Text Messages, and Emails
- Fact Sheets
- Flyers
- Community agencies are assisting with outreach to the consumers.

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Questions/Answers

- Authorized Retailers FAQ
- SNAP Healthy Choice Waiver Product Matrix
- Contact Email – DHHS.SNAPRetailers@nebraska.gov
- [SNAP Healthy Choice Website](#) link or utilize QR code



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Thank you for attending and participating in this Webinar.

Your participation helps DHHS to determine the needs of retailers and consumers concerning this waiver.

DHHS.SNAPRetailers@nebraska.gov



Nebraska
Department of Health
and Human Services



Nebraska DHHS



NEDHHS



nebraska_dhhs



NebraskaDHHS



SNAP Healthy Choice Waiver Website

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