

REQUEST FOR THE SECRETARY OF THE U.S. DEPARTMENT OF AGRICULTURE (USDA) TO PILOT PROJECTS MEANT TO IMPROVE NUTRITION AND HEALTH UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

April 15, 2025

1. **Type of Request:** To operate a project modifying eligible foods under the Supplemental Nutrition Assistance Program (SNAP) and support improved health outcomes.
2. **Statutory Citation:** 7 U.S. Code § 2026(b)
3. **Primary Regulation Citation:** 7 CFR § 282.1
4. **State:** Arkansas
5. **Statutory and Regulatory Requirements to be Waived:** 7 U.S. Code § 2012(k) and 7 CFR § 271.2
6. **Proposed Alternative Procedure:** The State of Arkansas and the Arkansas Department of Human Services is requesting to exercise Section 17 of the Food and Nutrition Act of 2008 to modify the definition of both eligible and ineligible foods under the Supplemental Nutrition Assistance Program (SNAP).

Arkansas will exclude from the definition of eligible foods the following non-staple food and beverage items: soda, low and no-calorie soda, fruit and vegetable drinks with less than 50% natural juice, unhealthy drinks, and candy. The candy exclusion will extend to confectionary products with flour and artificially sweetened candy. The exclusion will not extend to flavored water, carbonated flavored water, and sports drinks.

Arkansas will include in the definition of eligible foods hot rotisserie chickens.

This request aligns with Section 17, 7 U.S. Code § 2026, permitting states to conduct projects on a trial basis to conform the goals of Arkansas with the goal of SNAP—to provide food assistance, alleviate food insecurity, and promote nutrition among low-income individuals.

7. **Justification for Request:** The “N” in SNAP stands for “Nutrition.” And the Declaration of Policy in the Food and Nutrition Act of 2008 (P.L. 88-525, as amended via P.L. 118-5) emphasizes nutrition and health.

Unfortunately, this “Nutrition Assistance” program is undermining the health of millions of Americans by encouraging families to eat highly processed, unhealthy drinks and candy.

In fact, soda, unhealthy snacks, candy, and dessert account for nearly 23 percent, or \$27 billion, of all SNAP purchases.¹ Given the known relationship between junk food and poor health, our federal food assistance policies are fueling obesity, diabetes, heart disease, hypertension, and a wide range of chronic health conditions in Arkansas and across America.

More than one-third of Arkansans have diabetes or pre-diabetes, and Arkansas has the second-highest diabetes mortality rate in the country.² Forty percent of the state struggles with obesity.³ Chronic health problems disproportionately impact low-income families, the same people who rely on SNAP for food. In fact, the Arkansas Medicaid program spends at least \$300 million annually on chronic conditions.

The time has come to reform SNAP and empower low-income Americans with tools to live healthier, longer lives. One study from Stanford found that excluding sugary drinks like soda from food stamps could prevent obesity in 141,000 kids and Type 2 diabetes in 240,000 adults nationally.⁴ Food stamp reform that restricts soda, unhealthy drinks, and candy is a commonsense first step to Make America Healthy Again.

In addition, SNAP’s existing prohibition on hot rotisserie chickens denies low-income families the opportunity to purchase and consume a protein-rich, reasonably affordable food option that can support a family meal. Given that

¹ Edwards, Chris. “SNAP: High Costs, Low Nutrition.” Cato Institute. 1 Sept. 2023, <https://www.cato.org/briefing-paper/snap-high-costs-low-nutrition>.

² National Center for Health Statistics. “Diabetes Mortality by State.” CDC, 1 Mar. 2022, https://www.cdc.gov/nchs/pressroom/sosmap/diabetes_mortality/diabetes.htm.

³ Montgomery, Elizabeth. “Report: 40% of Arkansas Adults Obese.” ACHI, Sept. 12, 2024, <https://achi.net/newsroom/report-40-of-arkansas-adults-obese>.

⁴ Basu, S., Seligman, H. K., Gardner, C., & Bhattacharya, J. (2014). Ending SNAP subsidies for sugar-sweetened beverages could reduce obesity and type 2 diabetes. *Health Affairs*, 33(6), 1032-1039.

many people leverage rotisserie chickens to prepare a meal, the program should accommodate this common sense reform.

This reform has the added benefit of supporting Arkansas-grown and harvested chicken—arguably the best chicken in the world.

President Trump is the first President to make tackling America's chronic disease epidemic a priority and Arkansas is proud to stand by his side in that effort.

Implementation of Request: The mission of SNAP, as outlined in the Food and Nutrition Act of 2008 Declaration of Policy, is to raise "levels of nutrition among low-income households." The State's mission is to promote healthier food and beverage purchases and reduce food and beverage purchases that perpetuate chronic health conditions. These goals and this policy align.

The State will use the GS1 US framework to define ineligible foods. After evaluating alternative options, including the Streamlined Sales Tax definitions and a range of alternative definitions for food and beverages, the State believes GS1 US provides the best definitional framework to operationalize reforms, support beneficiaries, ensure compliance, and collaborate with both manufacturers and retailers.

The State will also reform its existing SNAP Education funding to promote protein-rich foods, including Arkansas-grown and harvested poultry, eggs, beef, pecans, peanuts, soy, strawberries, sweet potatoes, rice, peaches, oats, and more. The State also proposes to distribute SNAP Education nutrition program funding directly to schools, food banks, and other community agencies so they can distribute healthy foods such as fruits and vegetables to families and provide education and outreach about healthy food choices.

Nutrition education is crucial. It should be conducted in school settings as part of school curricula and overseen by the Arkansas Department of Education, in partnership with the Arkansas Department of Agriculture and the Farm to School Program. This plan would improve access to healthy foods, connect students and families with hands-on education on the topics of food, nutrition, and

agriculture, and streamline administratively burdensome SNAP Education programming and reporting requirements. If a waiver is required for approval to distribute SNAP Education funding differently, the State of Arkansas requests technical assistance to pursue this approach.

8. **Anticipated Impact on Households:** The state will not modify benefit allotments or eligibility parameters. The state will communicate program changes to beneficiaries and impacted households. No increased benefit costs are anticipated. There is no federal mandate for retailers to participate in the program and accept SNAP benefits. It is a voluntary program for retailers.
9. **Proposed Implementation Date:** Upon technical assistance review and approval, on July 1, 2026.
10. **Time Period of Request:** 5 years.
11. **Proposed Evaluation of Request:** The state will conduct program evaluations based on retailer data to assess the waiver's impact on positive eating and spending habits.
12. **Comment Period:** Upon submission to FNS today, DHS intends to post this proposal on its website for 30 days to allow time for public comment.



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