



North Dakota postpones ban on using food assistance for soda, candy

Delay prompted by request from federal agency days before new restrictions were to take effect

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A ban on purchasing candy, soda and other sweetened drinks with federal food assistance was postponed for North Dakotans days before it was set to take effect.

The restrictions on the Supplemental Nutrition Assistance Program were expected to take effect Sept. 1, followed by a three-month grace period to give retailers more time to update their systems.

But the North Dakota Department of Health and Human Services announced Thursday morning that the start date for the waiver is postponed to Nov. 1.

That decision followed an Aug. 25 letter from the U.S. Department of Agriculture to North Dakota officials, which referenced a recent federal court case that struck down similar SNAP restrictions in five states. A court opinion criticized the USDA for not following requirements to publish notice of the SNAP restrictions and accept public comment.

Shiela Corley, acting administrator of the federal Food and Nutrition

Administration, asked North Dakota officials to postpone the SNAP restrictions to Nov. 1. Corley wrote that the agency planned to publish a public notice in the Federal Register related to North Dakota's SNAP changes and assess public comment before it goes into effect.

The USDA approved North Dakota's request to ban candy and soda from SNAP purchases in December 2025. The state pursued the change in part to secure more federal money from the Rural Health Transformation Program.

The Department of Health and Human Services has said it plans to spend \$3.5 million to \$4 million on implementation and enforcement of the changes. It is unclear if the delay will impact that estimate.

In a news release Thursday, Rebecca Askins, economic assistance director for the department, highlighted the benefits of delaying the start date.

"This pause provides an opportunity for our federal partners and retailers to continue to prepare and for SNAP

households to become more familiar with the changes to items that can be purchased with an EBT card," Askins said in the statement. "The new timeframe also allows HHS to expand support for this initiative."

Just under 54,400 North Dakotans were enrolled in SNAP in April, and around 600 stores statewide are able to accept their benefits as payment.

John Dyste, president of the North Dakota Grocers Association, has been working as a liaison between the department and grocers across the state. He said he wasn't notified about the postponement and learned about it through the department's public announcement.

Dyste said the delay will relieve some pressure for retailers, particularly small, independent grocers, who he said are struggling to get their systems updated.

"Whoever thought this was going to be a fairly simple process didn't have a clue," he said.



Candy sits on the shelves at a retail store in Bismarck on Aug. 27, 2026.
Photo by Michael Achterling/North Dakota Monitor