

Sub. H. B. No. 96  
As Passed by the Senate  
JFSCD40

\_\_\_\_\_ moved to amend as follows:

After line 108347, insert:

"Sec. 5101.549. (A) As used in this section:

(1) "Food additive" means any of the following:

(a) Synthetic food dyes derived from petroleum or coal  
tar, including red 40, red 3, yellow 5, yellow 6, blue 1, blue  
2, and green 3;

(b) Titanium dioxide and any other whitening agents  
classified as nanoparticles;

(c) Brominated vegetable oil and other chemical  
emulsifiers linked to hormone disruption;

(d) Potassium bromate, propylparaben, and any chemical  
additives classified as probable carcinogens.

(2) "Sugar-sweetened beverages" means nonalcoholic  
beverages that are made with carbonated water that is flavored,  
contains a food additive, and is sweetened with sugar or  
artificial sweeteners. "Sugar-sweetened beverages" do not  
include a beverage that contains milk, milk products, soy, rice,

or other milk substitutes, or that contain greater than fifty 18  
per cent vegetable or fruit juice by volume, or that contain 19  
less than five grams of added sugar. 20

(B) The director of job and family services shall submit a 21  
request to the United States department of agriculture for a 22  
waiver to exclude sugar-sweetened beverages as items that may be 23  
purchased in this state under the supplemental nutrition 24  
assistance program. If a waiver submitted under this section is 25  
not approved, the director shall resubmit a request for a waiver 26  
on an annual basis." 27

Update the title, amend, enact, or repeal clauses accordingly 28

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS

**Exclusion of sugar-sweetened beverages from purchase under** 29  
**SNAP** 30  
31

**R.C. 5101.549** 32

Restores a House-added provision removed by the Senate 33  
that does both of the following: 34

- Requires the ODJFS Director to seek a waiver from the 35  
U.S. Department of Agriculture to exclude sugar-sweetened 36  
beverages as items that may be purchased in Ohio under SNAP. 37

- Requires the ODJFS Director to reapply for a waiver 38  
every year if it is not approved. 39