

Sugary Drink Definition

Definition
Sugary drink is defined as any nonalcoholic beverage, whether carbonated or noncarbonated, sold for human consumption that contains any added sugars.
Sugary drinks do NOT include:
Beverages in which milk is the primary ingredient or the first listed ingredient on the label of the beverage, or soy, rice or similar milk substitute. For purposes of this Act, “milk” means natural liquid milk regardless of animal or plant source or butterfat content; natural milk concentrate, whether or not reconstituted; or dehydrated natural milk, whether or not reconstituted.
100% juice or 100% juice + water including those made from frozen, freeze-dried, or concentrate with no added sugars
Coffee and tea without added sugars*
Water without any sugars
Beverages with <5 grams of added sugar or other caloric sweeteners per 8 ounces
Infant formula
Medically necessary foods and beverages

***This definition addresses coffees and teas that are packaged for sale. If this definition is used for a sugary drink excise tax, the beverages individually sold in coffee shops, convenience stores, etc. would be captured under a sales tax in most states and would not be included.**