

TAXED JUNK FOODS, Healthy Diné Nation Act of 2014



The Healthy Diné Nation Act (HDNA) of 2014 places a 2% tax on certain food items. Revenues generated by the tax support community wellness projects in Chapters on the Navajo Nation. The 2% tax is applied at the register, check-out, or point of sale in stores on the Navajo Nation. All items are meant for human consumption and are sold by supermarkets, grocery stores, convenience stores, restaurants, food courts, and retail establishments.

“Beverage” includes, but is not limited to, the following:

| Category | Example |
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| Fruit drinks | Minute Maid®, Nestle®, Capri Sun® |
| Water with added sweeteners, flavorings, vitamins and minerals | Dasani® flavored water and/or enhancers, VitaminWater®, coconut water |
| Carbonated or sparkling drinks, including those with any amount of natural fruit juice | Sparkling apple cider, Root beer, Ginger ale, S. Pellegrino®, Perrier®, Canada Dry®, LaCroix®, Arrowhead®, Sobe® |
| Cola-type drink | Pepsi Cola®, Coca Cola®, Dr. Pepper®, Sunkist®, 7UP®, Canada Dry®, Fanta®, Sprite®, Play®, Schweppes®, Big Cola |
| Artificially flavored, sweetened or not, powder or base drink product meant to be consumed diluted in water | MiO Liquid Dasani® Drops Crystal Light liquid or powder Kool-Aid® liquid or powder CountryTime® 4C® Half and Half Iced Tea-lemonade |
| Unheated artificially flavored sweetened or unsweetened tea or tea products; including specialty teas sold in bottles or cans | Lipton® sweet tea, Sweet Leaf® iced tea, Pure Leaf® sweet tea, Arizona® sweet tea, Snapple® Southern sweet tea, Arnold Palmer® sweet tea powder, Nestea® |
| Energy, or sport drinks, gel, shots, gum, pills, and/or powder; including any non- dairy beverages marketed as a protein supplement. | Monster®, Full Throttle®, Gatorade®, drink, gels, etc. Powerade®, Propel®, Muscle Milk®, 5-hour Energy®, Redbull® |
| Flavored dairy or non-dairy (soy, rice, almond) products (milk and yogurt) | Chocolate, strawberry, vanilla, banana milk, Rice Dream® Vanilla Yoplait® Light fat free Lemon Cream Pie, Danone® Mango, shakes, smoothies |
| Vegetable juice sold in cans, bottles, or cartons | V8®, Mott’s® Garden blend |

“Beverage” means soda, pop, vegetable juice, hot or iced coffee, hot chocolate, liquid coffee creamers, alcohol-free wine, beer, alcoholic drinks, energy drinks, sport drinks in the form of gel, shots, gum, pills, and/or powder, non-dairy beverages marketed as a protein supplement, any flavored dairy or non-dairy (soy, rice, almond) products (milk and yogurt), other naturally or artificially colored and/or flavored and/or sweetened drinks, carbonated or non-carbonated, containing caffeine or no caffeine, labeled or not labeled containing natural fruit juice, fit for human consumption; in any form, either powdered, concentrate liquid mixes sold in bottles, cans, boxes, bags, or sold in a refillable beverage container dispensed from a drink fountain; intended to be consumed on or off the premises where they are sold.

“Sweets” includes, but is not limited to, the following:

| Category | Example |
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| Candy | Any candy bars individually prepackaged or sold by weight Any hard candy in various shapes and with various coatings, prepackaged or sold by weight Any chocolates with or without filling Any dried or fresh fruit, nuts, popcorn covered with caramel, chocolate, honey, sprinkles, or any other coatings; prepackaged or sold by weight Any sugar confections with the following consistency: carbonated/crystallized, fizzed, liquid, soft/chewy, spray, jelly, tape/paper, powder, etc. Chewing gum, various flavors and shapes, with sugar or sugar-free Fudge, nougat, in various flavors; with or without nuts Maple sugar candy, Marshmallows, candy or chocolate covered marshmallows in decorative shapes Trail Mix with candies or dried fruit, Mints, Peanut brittle, Cotton candy, Licorice, Jellies or jellybeans in various shapes and with various flavors |
| Frozen desserts | Ice cream, Frozen yogurt, Gelato, Sherbet, Granita, Italian ice, Shaved ice, Slush, Snow cone, Popsicles |
| Pastries | Birthday cake, Cheesecakes, Sponge cakes, Butter cakes, Coffee cakes, Fruit cakes, Flourless cakes |
| Cookies | Shortbreads, Scones, Macaroons, Wafers, Chocolate chip cookies, Rolled cookies, Sandwich cookies |
| Pies, cobblers, tarts, croissants, doughnuts, or doughnuts like products, cakes, pancakes mixes, etc. | Pecan, cherry, strawberry-rhubarb, apple pie, Fruit tart, Peanut butter pie, Paczki, Eclairs, Apple fritters |
| Puddings and gelatin based desserts | JELL-O® sugar-free Dark Chocolate, Chocolate fudge, Vanilla, etc. JELL-O® sugar-free, fat free or low calorie pudding or gelatin dessert, Snack Pack® pudding Vanilla, Rice pudding, Tapioca or rice pudding |

“Sweets” means any preparation containing various amounts of sugar or other sweeteners such as corn, syrup, dextrin, fructose, high fructose corn syrup, galactose, glucose, honey, lactose, malt, maltose, maple syrup, molasses, and sucrose; sometimes in combination with flour, milk, butter, shortening, eggs, dried fruits, nuts, etc., including:

- Any frozen desserts with various fat contents made by freezing liquids or semi-solids, based on naturally and/or artificially flavored water, fruit, purees, dairy or dairy substitutes, custards; combined with fruits, nuts, or other ingredients and flavorings, sold in cone or other means for immediate consumption, packaged in plastic/buckets, paper carton or other containers for storage and later consumption.
- Any pastries, as in any mixed, baked or fried products made primarily but not exclusively from flour, sugar, dairy, shortening, baking powder and eggs.

- Any cookies, as in raw or baked dough to crispy consistency, in various shapes, made primarily but not exclusively from flour, sugar, butter or other kinds of shortening, without ingredients added, such as candy, dried fruit, nuts, spices, etc.
- Any pies, cobblers, tarts, croissants, etc. defined as baked or raw products made of a pastry shell that contains or covers various combinations of ingredients such as fruits, nuts, etc.; products made out of yeast-leavened dough, filo (phyllo) dough, fried or baked dough, sweetened or powdered with sugar or any other sugar substitute, with or without fillings, cake, pancake mix, scone, breads, pie crust powdered mixes, including specialty mixes such as gluten-free mixes, etc.
- Any puddings and gelatin based desserts with soft consistency generally sweet but not exclusively, prepared with dairy, eggs, sugar or other sweeteners, with flavorings, cornstarch, and/or gelatin.

“Chips or crisps” includes, but is not limited to, the following:

| Category | Example |
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| Sliced potato products, baked, toasted, or fried quickly | Potato chips, fries |
| Cooked potato product, mashed, dehydrated, reconstituted into dough and cut in uniformed pieces | Pringles® |
| Vegetables or thinly sliced root vegetables baked, toasted, or fried quickly with or without batter | Garden Veggie Straws®, Garden Veggie Chips®, Terra®, |
| Vegetables or grains, mechanically and temperature altered, and shaped into straws, puffs, or other forms | Popcorn, Corn nuts |
| Grain or multigrain products such as fried/baked/toasted pita or wheat thin chips, pretzels, sticks, gold fish, animal crackers, rice cakes, etc. | Stacy's®, Sun Chips®, Baked Lay's Chips® |
| Beans, corn chips baked, fried, or toasted | Doritos®, Cheetos®, Fritos® |

“Chips or crisps” means any naturally or artificially flavored, mechanically and temperature altered vegetables, root vegetables, grains, beans, or products baked, toasted, fried quickly, mashed, dehydrated and reconstituted in various shapes or forms.

“Flavor Enhancers” includes, but is not limited to, the following:

| Category | Example |
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| Any form of sodium chloride used to flavor, season, or preserve food | Table salt, sea salt, kosher salt |
| Sugar, sweeteners | White “table” sugar, turbinado sugar, raw cane sugar, evaporated cane sugar, evaporated cane juice, honey, agave nectar syrup, molasses, Sugar in the Raw® |

Note: these definitions and lists could be modified and expanded to include newly engineered and marketed unhealthy foods as they become available.

Learn more at the website for the Navajo Epidemiology Center:
nec.navajo-nsn.gov/Projects/HDNA

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HDNA partners

