

Model Bills and Regulations Committee (MBRC)

Recommendations, report and minutes for January 8, 2014 meeting

Committee Recommendations:

- 1.) The MBRC recommends that Feed Labeling Committee changes to Model Bill Section 3(a)(4) (appendix A-1) conforms to the Model Bill and that the BOD review the proposal for future consideration of the Association membership.
- 2.) The MBRC recommends that Feed Labeling Committee changes to Model Bill Section 4(i)(1)(a) (appendix A-2) conforms to the Model Bill and that the BOD review the proposal for future consideration of the Association membership.
- 3.) The MBRC recommends that Feed Labeling Committee changes to Model Bill Section 3(a)(3)VII (appendix A-3) conforms to the Model Bill and that the BOD review the proposal for future consideration of the Association membership.
- 4.) The MBRC recommends that Pet Food Committee changes to the Dog and Cat Nutrient Profiles (appendix C) replaces existing language found on pages 149-164 in the 2014 *Official Publication* and conforms to the Model Regulations for Pet and Specialty Food, and that the BOD review the proposal for future consideration of the Association membership.
- 5.) The MBRC recommends that the Pet Food Committee changes to Dog and Cat Feeding Protocols (appendix D) replaces existing language found on pages 165 -175 in the 2014 *Official Publication* and conforms to the Model Regulations for Pet and Specialty Food, and that the BOD review the proposal for future consideration of the Association membership.

Board Recommendations:

Association actions:

Committee Report/Minutes (January 8, 2014):

Model Bills and Regulations Committee Chairman Doug Lueders called the meeting to order at 4:08 p.m. on January 8, 2014. He welcomed committee members, industry advisers and guests who were present, and reviewed the agenda. He asked if there were any additional agenda topics, and none were offered.

In addition to Mr. Lueders, committee members participating were: Ken Bowers (KS), Bill Burkholder (FDA), Richard Ten Eyck (OR), Ben Jones (TX), Mike Davidson (CA), and joining via phone John Breitsman (PA), April Hunt (MI), and Paul Bachman (FDA).

Industry advisers present were: Kristi Krafka and Leah Wilkinson (AFIA); Jan Campbell and David Fairfield (NGFA); Angele Thompson and Pat Tovey (PFI); Dave Dzanis (ACVM & APPA) and Sue Hays (Wild Bird Feeding Industry).

Chairman Lueders informed members and advisers that committee minutes from the AAFCO 2013 Annual Meeting and the October 28 e-meeting had been previously approved and are posted on the AAFCO web-site and were also included in the mid-year General Session packet..

Old Business

There was no Old Business before the committee.

New Business

The committee proceeded to consider new business.

- **Feed Labeling – Regulation 3(a)(4):** The committee reviewed proposed changes to Regulation 3(a)(4) Guarantees, as submitted by the Feed Labeling Committee (appendix A-1). There was discussion about whether or not an approved AOAC method to calculate Neutral Detergent Fiber (NDF) was available. It was confirmed that the AOAC method was finalized in 2004 by USDA chemist, Dr. David Mertens. The number and title are; **AOAC Official Method 2002.04 Amylase-Treated Neutral Detergent Fiber in Feeds**. It was moved by Mr. Ten Eyck to accept the Feed Labeling Committee proposal as edited for the correct citation (appendix A-1) and forward it to the BOD with the recommendation that it conforms to the Model Bill and that the BOD review the proposal for future consideration of the Association membership. The motion was seconded by Dr. Burkholder. The motion was approved by a voice vote
- **Feed Labeling – Regulation 4(i)(1)(a):** The committee reviewed proposed Regulation 4(i)(1)(a) as submitted by the Feed Labeling Committee (appendix A-2). After some discussion about the wording change it was moved by Mr. Jones and seconded by Mr. Bowers that the committee accept the proposed changes as recommended by the Feed Labeling Committee and forward such changes (appendix A-2) to the Board of Directors with the recommendation that it conforms to the Model Bill and that the BOD review the proposal for future consideration of the Association membership. Committee members approved the motion by a voice vote.
- **Feed Labeling – Regulation 3(a)(3)VII:** The committee reviewed the proposal submitted by the Feed Labeling Committee to add a purpose statement for a single ingredient feed (appendix A-3). After discussion about why this new purpose statement was needed it was moved by Mr. Ten Eyck to accept the Feed Labeling Committee proposal as edited for the correct citation (appendix A-3) and forward it to the BOD with the recommendation that it conforms to the Model Bill and that the BOD review the proposal for future consideration of the

Association membership. The motion was seconded by Mr. Bowers. The motion was approved by a voice vote.

- **Ingredients Definitions – SUIP on feed term parts:** Mr. Ten Eyck provided background on why this SUIP (appendix B) is brought forward to the committee. It goes along with changes to the feed terms section header and modified feed terms that were approved by the AAFCO membership earlier in the day. After considerable discussion about the merits of the SUIP, Chairman Lueders reminded the Committee members and advisors that the SUIP language was previously discussed in the Ingredients Definitions Committee, approved and submitted to the Model Bill Committee for review of its consistency with the Model Bill. It was moved by Mr. Jones, seconded by Mr. Breitsman, to send the SUIP on feed term parts (appendix B) back to the Ingredient Definitions Committee. The motion was approved by a voice vote.
- **Pet Food – Dog and Cat Nutrient Profiles:** The Pet Food Committee submitted for review Dog and Cat Nutrient Profiles to replace existing language found on pages 149-164 in the 2014 *Official Publication*. Mr. Ten Eyck made a motion that the submitted Dog and Cat Nutrient Profiles (Appendix C) be forwarded to the BOD with the recommendation that it conforms to the Model Bill and that the BOD review the proposal for future consideration of the Association membership. Mr. Bowers provided a second. In the substantial discussion that followed committee advisors Ms. Thompson and Ms. Wilkinson raised the concern that the maximum calcium levels for dogs was a change not recognized by industry until after the revised Dog and Cat Nutrient Profiles were passed out of the Pet Food Committee. They encouraged the Model Bills and Regulations Committee to either accept the proposed appendix C less the maximum calcium level for dogs or not accept the proposal and return it to the Pet Food Committee. Chairman Lueders reminded the committee that their purpose is to determine if the proposed changes concur with the Model Bill and that it is up to the Pet Food Committee to discuss the technical aspects of the proposal. Chairman Lueders reminded the committee and advisors that if this motion passes, there is still opportunity for debate when it is presented to the AAFCO membership for their approval. The motion was approved by a voice vote with Dr. Burkholder abstaining.
- **Pet Food – Dog and Cat feeding Protocols:** The Pet Food Committee submitted for review Dog and Cat Feeding Protocols (appendix D) to replace existing language found on pages 165 -175 in the 2014 *Official Publication*. Dr. Burkholder explained that the document contained explanatory text that was not meant to be inserted in the protocols section. Dr. Burkholder made a motion, seconded by Mr. Jones, to accept the submitted Dog and Cat Feeding Protocols (Appendix D below the yellow line on page 5) be forwarded to the BOD with the recommendation that it conforms to the Model Bill and that the BOD review the proposal for future consideration of the Association membership. The motion was approved by a voice vote.

Mr. Ten Eyke made a motion, seconded by Mr. Bowers, that the explanatory notes for the Dog and Cat Feeding Protocols (appendix D) be included in the minutes for this meeting and be referenced in the “what’s new” section of the Official Publication when the protocols update. The motion was approved by a voice vote.

Adjournment

Given that no other business was identified, the committee meeting was adjourned at 5:53 p.m.

On behalf of the Model Bills and Regulations Committee, I respectfully submit this semi-annual report and request acceptance of the report and recommendations by the Board of Directors and the Association Membership.

Model Bills and Regulations Committee (MBRC)

Attachments for January 8, 2014 meeting

Appendix A-1 Regulation 3(a)(4) Guarantees - Crude Protein, Equivalent Crude Protein from NonProtein Nitrogen, Amino Acids, Crude Fat, Crude Fiber, Acid Detergent Fiber, **Neutral Detergent Fiber**, Calcium, Phosphorus, Salt and Sodium shall be the sequence of nutritional guarantees when such guarantee is stated. Other required and voluntary guarantees should follow in a general format such that the units of measure used to express guarantees (percentage, parts per million, International Units, etc.) are listed in a sequence that provides a consistent grouping of the units of measure.

Appendix A-2 Regulation 4(i)(1)(a)

(i) Guarantees for dietary starch, sugars, and fructans for Commercial Feeds, other than customer-formula feed, Pet Food and Specialty Pet Food Products:

- (1) A commercial feed which bears on its labeling a claim in any manner for levels of “dietary starch,” “sugars,” “fructans,” or words of similar designation, shall include on the label:

(a) Guarantees for maximum percentage of dietary starch and maximum percentage sugars, in the Guaranteed Analysis section immediately following the last fiber guarantee.

Appendix A-3 Regulation 3VII. The statement of purpose for single ingredient feeds shall be stated as “Single Ingredient Feed” or “Feed Ingredient”. The manufacturer of a single ingredient feed or feed ingredient shall have flexibility in describing in more specific and common language the intended use of the feed ingredient dependent on species and class.”

Appendix B SUIP Feed Term Policy on Parts

“It is acceptable to use a combination of a “process” feed term and a defined ingredient or common or usual name when describing an ingredient in the ingredient statement as long as the ingredient is not nutritionally altered from the original. If the ingredient has gone through a recognized review process the name may include a “part” feed term.”