

2016 MBRC annual meeting; Attachment A

**AAFCO Feed PC Harmonization Work Group
FSMA Model Bill Language
6/6/16 DRAFT**

1. Add as Section 10 (c) in the Model Bill – Returned to workgroup

Option A. All food and drug rules

Food and drug rules. Applicable federal regulations including recodification contained in Code of Federal Regulations, title 21, parts 1 to 1299, not otherwise adopted herein, also are adopted as feed rules of this state.

Option B. FSMA animal food preventive control rules

Food and drug rules. Applicable federal regulations including recodification contained in Code of Federal Regulations, title 21, part 507, not otherwise adopted herein, also are adopted as feed rules of this state.

Option C. FSMA animal food preventive control rules, GMPs only

Food and drug rules. Applicable federal regulations including recodification contained in Code of Federal Regulations, title 21, part 507.1 to 507.28, not otherwise adopted herein, also are adopted as feed rules of this state.

2. Add definitions to Section 3 of the Model Bill (From 21 CFR 507.3 Definitions) Tabled in January

Animal food – means food for animals other than humans and includes pet food, specialty pet food, animal feed, and raw materials and ingredients.

Feed(s) – Edible material(s) which are consumed by animals, other than humans, and contribute energy and/or nutrients to the animal's diet.

3. Update the AAFCO Official Feed Terms – Animal food as a new term and update to existing Feed term - Tabled in January

Animal food – means food for animals other than humans and includes pet food, specialty pet food, animal feed, and raw materials and ingredients.

Feed(s) – Edible materials(s) which are consumed by animals, other than humans, and contribute energy and/or nutrients to the animal’s diet.

4. Add Facility recall plans as Section 8 in the Model Bill. (The current Section 8 and the remaining sections will need to be renumbered) - Tabled in January

From 21 CFR 507.38

Section 8. Recall Plan

(a) Commercial feed licensees and registrants must:

- (1) Establish a written recall plan for the animal food; and
- (2) Assign responsibility for performing all procedures in the recall plan.

(b) The written recall plan must include procedures that describe the steps to perform the following actions as appropriate to the facility:

- (1) Directly notify direct consignees about the animal food being recalled, including how to return or dispose of the affected animal food;
- (2) Notify the public about any hazard presented by the animal food when appropriate to protect human and animal health;
- (3) Conduct effectiveness checks to verify the recall has been carried out; and
- (4) Appropriately dispose of recalled animal food, *e.g.*, through reprocessing, reworking, diverting to another use that would not present a safety concern, or destroying the animal food.

Attachment A(2) Tabled in January

Section 11(a)

(2) to inspect at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment or vehicle and all pertinent equipment, finished and unfinished materials, containers, and labeling therein. The inspection may include the verification of ~~only such~~ records, and production and control procedures related to the manufacture, distribution, storage, handling or disposal of commercial feed as may be necessary to determine compliance with as may be necessary to determine compliance with the Good Manufacturing Practice Regulations established under Section 7(d) of this Act.