

Attachment B

2016 MBRC annual meeting

AFIA proposed changes to the AAFCO Model Bill November, 2015

| Edit Requested | MB Section | Language showing edit | Rationale |
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| Should say “registrant/licensee” in the definition for “brand name” | Section 3. Definitions | (a) The term “brand name” means any word, name, symbol, or device, or any combination thereof, identifying the commercial feed of a distributor or registrant/ <u>licensee</u> and distinguishing it from that of others. | The MB allows for states to decide between registration or licensing therefore this option should be stated here to get it correctly stated in state law. |
| Add “commercial” in front of “feed” in the definition for “official sample” | Section 3. Definitions | (m) The term “official sample” means a sample of <u>commercial</u> feed taken by the _____ or their agent in accordance with the provisions of Section 11(c), (e), or (f) of this Act. | Throughout the MB it is always referred to as “commercial feed” or another qualifier (customer-formula feed, medicated) but it was not in this definition. |
| Add “commercial” in front of “feed” in the definition for “drug” | Section 3. Definitions | (g) ...articles other than <u>commercial</u> feed intended to affect ... | Throughout the MB it is always referred to as “commercial feed” or another qualifier (customer-formula feed, medicated) but it was not in this definition. |
| Add “domesticated” in front of “dog or cat” in the definition of “pet” | Section 3. Definitions | (q) The term “pet” means <u>domesticated</u> dog or cat. | In (u) specialty pet – it states “domesticated animal...” and we think the intent of AAFCO is to cover domesticated dogs and cats only and this clarifies that. |
| Add “commercial” in front of “feed” in this Labeling section | Section 5. Labeling | (a)(3) ...advise the user as to the composition of the | Throughout the MB it is always referred to as “commercial feed” or |

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| | | <u>commercial</u> feed or to support... | another qualifier (customer-formula feed, medicated) but it was not in this section |
| Add “commercial” in front of “feed” in this Labeling section | Section 5. Labeling | (a)(6) ...and for such other <u>commercial</u> feeds as the _____ may require... | Throughout the MB it is always referred to as “commercial feed” or another qualifier (customer-formula feed, medicated) but it was not in this section |
| Change “their” to “its” when referring to the firm | Section 8. Prohibited Acts | (h) Bags or totes used for commercial feeds (including customer-formula feed) shall not be re-used unless appropriately cleaned. A firm that intends to re-use bags or totes must document their <u>its</u> cleanout procedures. | “Its” is appropriate when talking about the “firm” |
| Add “commercial” in front of “feed” in this Certificates section | Section 12. Certificates | Opening sentence where it says ...access to markets for <u>commercial</u> feed and ingredients... | Throughout the MB it is always referred to as “commercial feed” or another qualifier (customer-formula feed, medicated) but it was not in this section |
| Change “an” to “any” | Section 14. Penalties | (h) In <u>any</u> action to compel performance of an order of the _____ to enforce this Act, the court must require a defendant adjudged responsible to perform the acts within the person’s power that are reasonably necessary to accomplish the purposes of the order. | It should be “any” action to be consistent with the rest of the section and the use of “any” |
| Require rule-making to define conditions | Section 4. Registration and Licensing | (d) <u>The _____ is authorized to</u> | The state should need to detail out under rule- |

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| labels would be requested. | Option B. Licensing | <u>promulgate a rule defining under what conditions the _____ may request labels and/or labeling from a license applicant or licensee. The _____ may request from, at any time, a license applicant or licensee copies of labels and labeling in order to determine compliance with the provisions of the Act.</u> | making the conditions for which they may request labels. The rule-making process would allow transparency in the thought process and rationale between the state official and the industry. |
| Require rule-making to define conditions labels would be requested. | Section 4. Registration and Licensing Option C. Registration and Licensing | (d) <u>The _____ is authorized to promulgate a rule defining under what conditions the _____ may request labels and/or labeling from a license applicant or licensee. The _____ may request from, at any time, a license applicant or licensee copies of labels and labeling in order to determine compliance with the provisions of the Act.</u> | The state should need to detail out under rule-making the conditions for which they may request labels. The rule-making process would allow transparency in the thought process and rationale between the state official and the industry. |
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