



FINAL 2/13/17

Pet Food Committee Report/Minutes
AAFCO Midyear Meeting
January 17th, 2017, 9:30am-12pm; Mobile AL

Committee Recommendations

Committee recommendation summary or list.

- (1) Pet Food Committee (PFC) moved to accept and recommend the Pet and Specialty Pet definitions as displayed (see Appendix A) to the Model Bill and Regulations Committee for their consideration.
- (2) PFC moved to accept and recommend the Proposed Regulations for Dietary Starch and Sugars Guarantees and Descriptive Terms (see Appendix B) and move to the Model Bill and Regulations Committee for their consideration.

Board Recommendations

Board recommendation summary or list.

- (3)
- (4)

Association Actions

Association action summary or list.

- (1)
- (2)

Committee Participants

Members Present: Stan Cook (Chair, MO), Kristen Green (Vice-Chair, KY), Jan Jarman (MN), Jo Lynn Otero (NM), Lizette Beckman (WA), Christie Shee (IN), Jason Schmidt (LA), George Ferguson (NC), James Embry (TX), Suzanne Riddle (MO), William Burkholder (FDA-CVM), Charlotte Conway (FDA-CVM), Eric Nelson (FDA-CVM), Liz Higgins (NM – via call), Austin Therrell (SC – via call)

Advisors Present: Leah Wilkinson (AFIA), Jason Vickers (AFIA), Dave Dzanis (APPA and ACVN), Susan Thixton (AFTP), Angela Mills (NGFA), David Fairfield (NGFA), David Meeker (NRA), Angele Thompson (PFI), Pat Tovey (PFI), Mollie Morrisette (PWA – via call)

Committee Report

Committee Activities

Motion to accept the Pet and Specialty Pet working group report. Moved by Bill Burkholder (FDA-CVM). Seconded by Jan Jarman (MN). Motion Passed.

Motion to accept and recommend the Pet and Specialty Pet language as displayed (see Appendix A) to the Model Bill and Regulations Committee for their consideration. Moved by Bill Burkholder (FDA-CVM). Seconded by Jan Jarman (MN). Motion Passed.

Motion to accept and recommend the Proposed Regulations for Dietary Starch and Sugars Guarantees and Descriptive Terms (see Appendix B) and move to the Model Bill and Regulations Committee for their consideration. Moved by Jan Jarman (FDA-CVM). Seconded by Bill Burkholder (MN). Motion Passed.

Committee Minutes

Announcements

PFC welcomes James Embry from the Texas Office of the State Chemist as a new member.

Bill Burkholder (FDA-CVM) requested an agenda addition to discuss hairball products.

Working Group Reports:

Pet Food Labeling Workshop – Charlotte Conway, FDA-CVM

The updated and expanded draft slides for the 2017 annual meeting Pet Food Labeling Workshop have been completed by the workshop workgroup and will be provided to FASS for formatting after acceptance by the workgroup. The breakout session subgroups should have their breakout materials completed by March. Additional information regarding workshop registration and agendas will be made available soon on the AAFCO website.

Definitions of Pet and Specialty Pet Working Group – Dr. William Burkholder, FDA-CVM

The PFC accepted the revised definitions available in Appendix A and recommended them to the Model Bill and Regulations Committee. The initial definitions provided by the workgroup were discussed and revisions made for clarification before being passed by the PFC. The specialty pet definition does not include zoo or laboratory animals, or pet chickens/horses/pigs.

Discussion Items:

Discussion of label applications of new profiles and substantiation claims – Kristen Green, Univ. of KY

Based on the passage of the updated AAFCO Nutrient Profiles and associated PF Model Regulation changes, States are now seeing labeling changes related to the updated 2017 AAFCO Nutrient Profiles (i.e. new nutritional adequacy statements, certain guarantees are now listed as essential). Questions have arisen regarding how States are going to manage labels featuring the elements from the newest version of the Nutrient Profiles and PF Model Regulations if their state law/regulations reference the earlier version of the Profiles and/or the Nutritional Adequacy statements. A roll call of several regulators on the phone and at the table indicated that States were mostly planning to utilize regulatory discretion to allow use of either set of Profiles and the related PF Model Regulations until the State updates their state law/regulations if current laws/regulations reference specific versions. In many cases, State laws may include specific nutritional adequacy statements but not reference a particular version of the Nutrient Profiles. If a firm is choosing to reference the 2017 AAFCO Nutrient Profiles, however, all of the firm's labeling elements must correspond to the associated 2017 AAFCO PF Model Regulations. Most states do not plan to allow a mix of new/older Profiles and associated new/older PF Model Regulations on different elements of labeling.

Example: For Dog products only -

Acceptable use:

Old Profiles and Model Regulations: DHA listed in the guaranteed analysis at the bottom of the list with "*" referencing the "*Not recognized..." statement on a product with an unmodified 'growth' or 'all life stages' nutritional adequacy statement.

Revised Profiles and Model Regulations: DHA listed in the guaranteed analysis in the upper part of the list with no "*" referencing the "*Not recognized..." statement on a product with a modified nutritional adequacy statement referencing the size of the dog (excluding/including growth of large size dogs (70 lb. or more as an adult).

Unacceptable use:

Mixed old and new Profiles and Model Regulations: DHA listed in the guaranteed analysis in the upper part of the list with no "*" referencing the "*Not recognized..." statement on a product with an unmodified "growth" or "all life stages" nutritional adequacy statement.

Dental Claims – Austin Therrell, SC Dept. of Agriculture

The Dental Control Guidelines as previously provided to the PFC were presented along with comments that had been received in between meetings concerning issues with Guidelines (5) and (6). A comment

was raised regarding the new language in Guideline (5), which appeared to not allow odor control claims on products utilizing a breath freshening flavor. Some draft proposed language was displayed and other language was proposed during the meeting. The wordsmithing issues were not resolved during the meeting and the guidelines were tabled to be discussed during an upcoming PFC webinar. Any examples for Guideline (6) will also be discussed during the webinar.

Carbohydrate (Sugars and Dietary Starch) Guidelines – Jan Jarman, MN Dept. of Agriculture

The revisions to the PF Model Regulations to address voluntary carbohydrate claims (previously presented to the PFC committee – see Appendix B) were discussed. An example of how the guaranteed analysis would look, along with an alternative suggested by PFI, were displayed and are available in Appendix B.1. The regulators at the table and on the call were polled to see if there were preferences regarding the formatting of the Dietary Starch and Sugars guarantees. The committee preferred the guarantee order originally proposed by the workgroup. An issue was raised that the Sugars method that supports this work may not be complete and additional money needed in order to make this method an official method. The PFC leadership will address this issue with the Laboratory Services Committee and the Board of Directors to make sure that AAFCO continues to support this endeavor. The PFC accepted the workgroup recommendations.

Pet Food Label Modernization Discussion – Stan Cook, MO Dept. of Agriculture

The label modernization is a major focus for PFC and the work will increase over the coming year. Subgroups of this workgroup have been meeting and making progress. This workgroup had a face-to-face meeting directly following the PFC meeting.

Declaration of Metabolizable Energy in Calorie Content Statements – Jo Lynn Otero, NM Dept. of Ag

This discussion involved the requirement the inclusion of “ME” or “Metabolizable Energy” and the use of “as fed” in place of “fed” in calorie content statements based on PF9. There appears to be some confusion over the requirement to specifically state ME in the calorie statement when calories are calculated since it does not specifically state this in PF9. A summary of the discussion points is available in Appendix C.

Modification to the Agenda, Hairball Products – William Burkholder, FDA-CVM

William Burkholder had a brief explanation of issues involving cat foods making hairball control claims. All hairball control claims are subject to premarket approval by FDA-CVM, and the review includes submission by the firm of formulations and labeling to substantiate the claim. FDA-CVM has noticed that, across several firms, guarantees on labeling in the marketplace is being found that does not correspond to the nutrient content of the formulas even accounting for AAFCO analytical variation allowances. FDA-CVM would like to remind the industry that the guaranteed analysis should correspond to the actual content of the formulas. Firms are not allowed to alter the formula or labeling without first notifying and received acceptance by FDA-CVM.

Additional Discussion, Human Grade

Despite the acceptance by the membership of the Human Grade Guidelines, there continue to be questions regarding the acceptability of certain materials. The PFC would like to remind industry that the human grade working group has been dissolved, and no work is being done to expand or further clarify the guidelines. The workgroup spent a long time trying to resolve some of the outstanding issues (i.e. no route to acceptability for products produced in a USDA facility) but was unable to resolve those issues. However, we would encourage industry to come up with a solution and provide a detailed argument to support their solution to the PFC for consideration.

Pet Food Committee Adjourned at 11:55 pm CST.

APPENDIX A – Pet, Specialty Pet, Pet Food and Specialty Pet Food Definitions

Recommendations

The PFC recommends and moves the revised Pet and Specialty Pet definitions as displayed below to the Model Bill and Regulations Committee for their consideration.

The following definitions appear on page 106 of the 2017 AAFCO OP in the Model Bill and Regulations.

(q) The term “pet food” means any commercial feed prepared and distributed for consumption by pets.

(r) The term “pet” means dog (*Canis familiaris*) or cat (*Felis catus*).

...

(v) The term “specialty pet” means any animal normally maintained in a household, such as, but not limited to, rodents, ornamental birds, ornamental fish, reptiles and amphibians, ferrets, hedgehogs, marsupials, and rabbits (non-production, non-livestock).

(w) The term “specialty pet food” means any commercial feed prepared and distributed for consumption by specialty pets.

Appendix B - Proposed Regulations for Dietary Starch and Sugars Guarantees and Descriptive Terms

Recommendation 1: The PFC recommends and moves the following addition and revisions to AAFCO Model Regulation PF4(a) on p. 139 of the 2017 Official Publication (OP) to the Model Bill and Regulations Committee for their consideration.

Regulation PF4. Expression of Guarantees

- (a) The "Guaranteed Analysis" shall be listed in the following order and format unless otherwise specified in these Regulations:
- (1) ...
 - (2) ...
 - (3) When listed on the label of a dog or cat food product, guarantees for dietary starch and sugars shall be stated as maximum percentages. Neither guarantee shall be listed without the other. The guarantee for dietary starch shall follow ash, if also listed; or moisture, if ash is not listed. The guarantee for sugars shall follow dietary starch.
 - ~~(3)~~(4) A dog or cat food label shall list other required or voluntary guarantees...
 - ~~(4)~~(5) A specialty pet food label shall list other required or voluntary guarantees...

Recommendation 2: The PFC recommends and moves the following additions to AAFCO Model Regulation PF10 on p. 147 of the 2017 OP to the Model Bill and Regulations Committee for their consideration.

Regulation PF10. Descriptive Terms

- (a) Calorie Terms...
- (b) Fat Terms...
- (c) Carbohydrate Terms
 - (1) "Low" Carbohydrate, Dietary Starch and Sugars Claims
A claim of "low carbohydrates", "low dietary starch", "low sugars" or a combination thereof) is not allowed.
 - (2) "Less" or "Reduced" Carbohydrates, Dietary Starch and Sugars claims.
 - A. A dog or cat food product which bears on its label a claim of "less _____" or "reduced _____" (blank is to be completed by using "carbohydrates", "dietary starch" or "sugars") or words of similar designation, shall include on the label:
 - i. The name of the product of comparison and the percentage of reduction in total dietary starch plus sugars (expressed on an equal weight basis) explicitly stated and juxtaposed with the largest or most prominent use of the claim on each panel of the label on which the term appears; and
 - ii. The comparative statement printed in type of the same color and style and not less than one-half the size used in the claim; and
 - iii. Maximum guarantees for dietary starch and sugars as stated in Model Regulation PF4(a)(3).
 - B. A comparison between products in different categories of moisture content (i.e., less than 20%, 20% or more but less than 65%, 65% or more) is misleading.

APPENDIX B.1 – Sugar and Dietary Starch Guarantee Examples

Guarantees order specified by the Carbohydrate work product (for example) – Note, this version accepted by PFC with the acceptance of the Sugar and Dietary Starch Guidelines in Appendix B.

Crude protein
Crude fat
Crude Fiber
Moisture
Ash
Dietary Starch
Sugars
Calcium
Vitamin A
Glucosamine*

*not recognized as essential.....

Suggested alternative (for example)

Crude protein
Crude fat
Crude Fiber
Moisture
Ash
Calcium
Vitamin A
Dietary Starch*
Sugars*
Glucosamine*

*not recognized as essential.....

APPENDIX C – PF9 Calorie Content Clarification Discussion

Regulation PF9: Statements of Calorie Content

- States are seeing ME or metabolizable energy not stated as part of the calorie content statement on the product label.
- States are seeing (as fed) in the calorie content statement on product labels.

PF9 states that the calorie content “.....*shall be measured in terms of metabolizable energy (ME) on an “as fed” basis...*”

- There seems to be some confusion as to whether or not the letters or words ‘ME’ or ‘Metabolizable Energy’ need to be included in the calorie content statement. YES, they do.
- The two different uses of the words “as fed” and “fed” in PF9 are leading to confusion. One (‘fed’) refers to the method of determination and the second (‘as fed’) refers to the moisture basis for the values in the statement. If the method of determination is “fed,” then that needs to be stated.

(5) The calorie content statement shall appear as one of the following:

A. The heading “Calorie Content” on the label or other labeling shall be followed parenthetically by the word “calculated” when the calorie content is determined in accordance with Regulation PF9(a)(3)A; or

B. The heading “Calorie Content: on the label or other labeling shall be followed parenthetically by the word “fed” when the calorie content is determined in accordance with Regulation PF9(a)(3)B.