

Model Bills and Regulations Committee Attachment for January 21, 2019 Meeting

Attachment A

Report of the Statements for Uniform Interpretation and Policy (SUIP) Working Group to the Model Bill and Regulations Committee

The SUIP working group was convened in August 2018 by the Chair of the Model Bills and Regulations Committee (MBRC), to review the accuracy and relevance of the statements contained in the SUIP section in chapter 5 of the Official Publication (OP) of the Association of American Feed Control Officials (AAFCO).

A. The SUIP Working Group makes the following recommendations to the MBRC:

1. Recommends adding a preamble – giving purpose and process to the SUIP section as well as a timeline for periodic review of these policy statements.

Introduction/Preamble

This section includes Statements for Uniform Interpretation and Policy (SUIP) of the AAFCO Model Bills and Regulations. In general, AAFCO SUIPs do not establish legally enforceable responsibilities. Instead, these SUIPs describe AAFCO's current thinking on a topic and should be viewed only as recommendations, in the absence of specific regulatory or statutory requirements. There are many pathways for statements to be published in Chapter 5, one of which is by recommendation from the AAFCO Model Bills and Regulations Committee to the AAFCO Board of Directors as a means of further clarification and interpretation. These statements should be reviewed every two years on odd number years at the AAFCO Mid-Year Meeting by a subgroup of the Model Bills and Regulations Committee to determine relevancy and applicability, then deleted or moved to the appropriate section of the Official Publication when such actions are warranted.

Moved _____ Seconded _____ Passed/Defeated

2. Recommends separating active statements from deleted statements, keeping each part in chronological sequence. This provides for historical information while making the section easier to read.

Moved _____ Seconded _____ Passed/Defeated

3. Recommends moving **SUIP 3** - Trade or Proprietary names - to the deleted list. The rationale is that IDC has already incorporated this language into the update to the Guide for New Ingredient Submissions.

Moved _____ Seconded _____ Passed/Defeated

4. Recommends moving **SUIP 10** – Brand names – to deleted list. From a legal perspective, a feed control officer is neither in a position to determine nor manage this issue.
Moved _____ Seconded _____ Passed/Defeated
5. Recommends adding language to the _____ **Stabilized** feed term (as below) ensuring that the intent of **SUIP 14** is included. Move SUIP 14 – Improved stability – to the deleted list if/when the new _____ **Stabilized** feed term is approved by the AAFCO membership. This item to be submitted to the Feed Terms Investigator.

_____(Process)_____ Stabilized. When an ingredient which may deteriorate has been treated to improve stability, the expression “stabilized”, “stability improved” or “with improved stability” may appear following the ingredient in the statement of ingredients. (The process used is to be specified on the ingredient label.)

Moved _____ Seconded _____ Passed/Defeated

6. Recommends moving **SUIP 15** – Raw leather residue from tanning or leather manufacturing – to the Adulterants [Model Bill, Regulation 10(a)(6)] list. Move SUIP 15 to the deleted SUIP list if/when Regulation 10(a)(6) is approved by the AAFCO membership.

“10(a)(6) Raw leather residue from tanning or leather manufacturing.”

Moved _____ Seconded _____ Passed/Defeated

7. Recommends adding Regulation 6(h) language regarding **Carriers** (as below) to Regulation 6 of the Model Bill. Move **SUIP 17** – Carriers – to the deleted SUIP list if/when 6(h) is approved by the AAFCO membership.

“6(h) Each carrier shall be listed in the ingredient statement on the label unless it meets the criteria for an incidental ingredient [21 CFR 501.100(a)(3)].”

Moved _____ Seconded _____ Passed/Defeated

8. Recommends adding Regulation 8(b) language (as below) regarding Feeding or Use Directions for Feeds Containing High Levels of Non-Protein Sources of Nitrogen and moving current Regulation 8(b) and (c) items to Regulation 8(c) and (d) respectively.
Move **SUIP 19** – Feeding or Use Directions for Feeds Containing High Levels of Non-Protein Sources of Nitrogen – to the deleted SUIP list if/when the new 8(b) is approved by the AAFCO membership.

“8(b) Feeding or use directions for those feeds in which more than 50% of the protein content is derived from non-protein nitrogen sources should include recommendations as to providing adequate supplies of drinking water, sources of energy, forages being fed, minerals, adaptation (“warm-up”) periods and stress conditions when necessary.”

Moved _____ Seconded _____ Passed/Defeated

9. Recommends adding the adoption date for **SUIP 23** – Registration and Labeling of Silage Additive Products – to the language: (Adopted 1979). Additionally, in the first sentence of SUIP 23, where a reference to “Commercial Feed” wrongly cited as Section 3(d) of the Model Bill, and therefore the WG recommends this should be corrected to state Section 3(b).

Moved _____ Seconded _____ Passed/Defeated

10. Recommends moving **SUIP 27** to the PFC for their consideration for inclusion in the Pet Food Regulation as a new **PF12** (as below). Move SUIP 27 – Chews, Bones, and Toys for Pets and Specialty Pets – to the deleted list if/when PF12 is approved by the AAFCO membership.

Regulation PF12. Chews, Bones and Toys for Pets or Specialty Pets

Chews, bones and toys for pets or specialty pets are exempt from the requirements of state registration or licensing as long as the following are met:

- (a) Product labeling or advertising may not:

- (1) Make claims that:

The product is intended for use as an animal food (such as any nutritional value (“digestible” or “high protein”) or structure/function (? **Provide example here**);

- (2) Provide a:

- a. Guaranteed analysis; or
b. Calorie Statement

- (3) Contain the word ‘treat’ or ‘snack’.

- (b) Product labeling or advertising may:

- (1) Make dental claims by mechanical action;
(2) Contain animal food-acceptable flavors or color additives;
(3) Contain animal food-acceptable binders as long as the purpose is to hold the product together and at a “**low inclusion rate**” (to be defined).

Moved _____ Seconded _____ Passed/Defeated

11. Recommends to the MBRC that the working group be disbanded as the 2018-2019 mission has been completed.

Moved _____ Seconded _____ Passed/Defeated

The Chair commends working group Chair Cathy Alinovi, WG members Emily Bulian Helmes, Lizette Beckman, Austin Therrell, Steve Younker, Angele Thompson, and Padma Pillai for all their work on this proposed SUIP overhaul. Thank you very much for your diligent effort on this project.