

# Model Bills and Regulations Committee

## Minutes of January 22, 2013 Meeting

Model Bills and Regulations Committee Chairman Doug Lueders called the meeting to order at 4 p.m. on January 22, 2013. 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 in attendance were: Ken Bowers (Kansas), Bill Burkholder (FDA), Mike Davidson (California), Eric Nelson (FDA) and Richard TenEyck (Oregon).

Industry advisers present were: Kristi Krafka and Scott Ringer (AFIA); David Dzanis (APPA/ACVN); Jan Campbell and David Fairfield (NGFA); Angele Thompson and Pat Tovey (PFI); and Doug Alderman and Sue Hays (Wild Bird Feeding Industry).

### Old Business

Chairman Lueders reminded members and advisers that committee minutes from the AAFCO 2012 Annual Meeting previously had been approved and distributed.

Chairman Lueders noted that Regulation PF9 - Statements of Calorie Content, approved by the committee at the AAFCO 2012 Annual Meeting and forwarded to the Board of Directors, had been presented and approved by the membership for inclusion in the Official Publication during the General Session that occurred earlier in the day. He also noted that no other items had emanated from the General Session for the committee to consider.

### New Business

The committee proceeded to consider new business.

- **Ingredient Definition Committee Recommendation for a Statement for Uniform Interpretation and Policy for Live Plants and Animals Distributed as Food for Pets and Specialty Pets:** The committee reviewed the statement for uniform interpretation and policy developed and approved by the Ingredient Definitions Committee for live plants and animals distributed as food for pets and specialty pets (attachment A).

As approved by the Ingredient Definition Committee, the proposed policy would be limited in application to only pets and specialty pets. During review by the committee, there was considerable discussion as to whether the scope of the policy should be expanded to include all animals.

After considering the potential ramifications of how such a change could affect certain products distributed to food-producing animals, it was moved by Mr. Burkholder and seconded by Mr. TenEyck to approve the statement without change as recommended by the Ingredient Definitions Committee and forward it to the Board of Directors with the recommendation that it be presented to the membership for inclusion in the Official Publication. Committee members unanimously approved the motion.

- **Electronic Official Publication Workgroup Request:** Mr. Lueders informed the committee that the Electronic Official Publication (e-OP) workgroup recently requested that the Model Bills and Regulations Committee review the workgroup's recommendation to remove the following items from the printed Official Publication and place them within the public section of the AAFCO website (page numbers listed are from the 2012 OP):
  - AAFCO Model Good Manufacturing Practices, pages 196-205
  - Model Feed Safety Program Plan, pages 222-236
  - Voluntary Self Inspection Program (VSIP), pages 247-254
  - Best Management Practices (BMPs), pages 255-269
  - Enforcement Guidelines, pages 270-276
  - Model Biosecurity Protocol, pages 277-279
  - Emergency Response Preparedness, pages 280-283
  - Analytical Variations (AVs), pages 284-285
  - Contaminant Levels in Minerals, pages 287-291
  - Enzyme Marketing Coordination, pages 327-333
  - Medicated Feed Program, pages 292-326

The rationale provided by the e-OP workgroup when making the recommendation was that these items contain guidance information that should readily be available outside of the Official Publication.

Mr. Lueders noted that according to AAFCO's Official Publication and Removal Policy (page 86, 2013 Official Publication) the need to edit, remove or invalidate an item from the Official Publication is to be reviewed by the Model Bills and Regulations Committee and the committee is to make a recommendation to the Board of Directors concerning such proposed changes.

The committee proceeded to discuss the recommendation to remove the identified items from the Official Publication. In general, industry advisers expressed the opinion that the items should remain in the Official Publication so the information is readily available to purchasers. In addition, industry advisors noted that AAFCO perhaps should consider leaving the items within the Official Publication and placing them within the public section of the AAFCO website.

No official action was taken by the committee in response to the e-OP working group request. Mr. Lueders stated the request will be further evaluated by the committee during the AAFCO 2013 Annual Meeting.

### **Assignments/Homework for Annual Meeting**

Mr. Lueders encouraged committee members and advisors to further consider: 1) the e-Op working group's request; and 2) more broadly what content should be included in the electronic version of the Official Publication that AAFCO anticipates being made available in 2014. He noted that committee members Mr. TenEyck and Ricky Schroeder serve on the e-OP working group and would gladly receive suggestions concerning the electronic Official Publication.

### **Adjournment**

Given that no other business was identified, the committee meeting was adjourned at 5:10 p.m.

### **Appendix A**

Ingredient Definition Committee uniform policy statement approved and recommended via the Board of Directors to the Model Bills and Regulations Committee during AAFCO 2012 Annual Meeting:

#### **Live Plants and Animals Distributed as Food for Pets and Specialty Pets**

##### **Policy Statement**

Live plants and animals typically distributed as food for pets and specialty pets, such as but not necessarily limited to rodents, insects, fish, and grasses, shall be exempt from registration and labeling as commercial feed products, unless the manufacturer or distributor, in its product labeling or advertising, makes any claim that the product contains added nutrients or otherwise implies increased nutritional value. This exemption does not apply to direct-fed microorganisms and other products or ingredients defined in the AAFCO Official Publication, or plants and animals that are not live at the time of purchase.