

**MINUTES AAFCO ANNUAL MEETING
AAFCO PET FOOD COMMITTEE
PLAZA NORTH BALLROOM
OKLAHOMA CITY, OK
Sunday, August 06, 2006 1:15 PM – 3:00 PM**

1. **INTRODUCTIONS**

Chair Dave Syverson called the meeting to order at 1:16 pm. The following committee members and advisors were in attendance:

Committee Members	Industry Advisors
Dave Syverson (MN), Chair	Richard Sellers, AFIA
Teresa Crenshaw (DE)	Jason Vickers, AFIA
Dr. Rod Noel (IN)	Nancy Cook, PFI
Roger Hoestenbach (TX)	Dr. Angele Thompson, PFI
Tony Claxton (MO)	Dr. David Dzanis, ACVN
Dr. Bill Burkholder (FDA-CVM)	

2. **COMMITTEE ORGANIZATION UPDATE & CHANGES**

Dave Syverson presented changes to the membership: Donna DiCesare (NY) is no longer with the committee, and Lynn Sheridan (WA) is our newest member.

3. **ADDITIONS/DELETIONS/CORRECTIONS TO THE AGENDA**

Dave Syverson explained that the agenda would continue from the last meeting for items not covered due to lack of time.

4. **STATUS OF PF SECTION AFFIDAVITS (FOLLOW-UP), NEED FOR COMPLETE REVIEW OF PF SECTION IN OP (ADDITIONAL ERRORS)**

Dave Syverson reviewed the revisions made to the affidavits at the last meeting. He said that concerns have arisen about language in the affidavits that require data from feeding trials be given to the Pet Food Committee. Angele Thompson referred to the minutes from the last meeting that changes to affidavits were approved and were to be given to the BOD. This has not yet been done.

Rod Noel said he could take these changes to the Board meeting to see if they could be accepted as editorial and therefore not required to be voted on by the membership. Dave Syverson said that he wanted to see if other changes were needed, but Angele Thompson and Nancy Cook said they did not want to delay the corrections to the affidavits that were approved at the last meeting.

5. **ACVN PROPOSAL**

Dave Syverson explained that this proposal was to require calorie statements on all pet food labels and require calories to be expressed as kilocalories in ME/kg and in ME/household units. Comments were requested at the last meeting, and AHA had submitted comments that they support the proposal.

Dave Syverson asked the committee how they wished to proceed. Bill Burkholder said the committee could move on the language to adopt or reject, or the committee could ask for further comments from industry. If adopted by the association membership, the new language would not appear before the 2008 Official Publication, so no changes would have to be made right now to the model regulations. Roger Hoestenbach explained that 2008 would be the earliest this language would be approved. Rod Noel indicated that he needed more time to review the issue.

Teresa Crenshaw asked if a smaller working group be formed to work on the issue. Jason Vickers said that AFIA would support a task force and said the proposal could be included in the NRC discussion. Dave Dzanis indicated that the ACVN wants this issue to move forward and does not see any benefit to form a task force to discuss this further. The language has already been proposed, so he sees no purpose in further discussion. Angele Thompson said that the committee has indicated that they had not had enough time to consider this proposal, and she said that any questions would gladly be discussed.

Bill Burkholder made a motion to table this issue until the Mid Year meeting. Rod Noel asked if a motion was necessary. There was no second. Discussion was made that for a table motion, a vote could be taken without a second. Rod Noel proceeded to second the motion. The committee approved the motion. Dave Dzanis indicated he would be happy to answer any questions for ACVN.

6. POLICY STATEMENT 29 PROPOSAL – STATUS & PROGRESS

Dave Syverson said that this was another issue that has been before the committee for a while, but it had never been reviewed according to committee guidelines. He said he wanted to make sure it was reviewed accordingly. Dave reviewed the three parameters that an issue must meet for discussion, and asked if proposed PS 29:

1. Provides protection for the consumer and the regulated industry?
2. Safeguards the health of humans or animals?
3. Provides a structure for orderly commerce?

All agreed that the issue met parameter #3. It was agreed that no motion was needed. Dave Syverson reviewed the intent of policy statement and indicated that if the statement was an interpretation of the model documents, then the issue did not have to go to the MBRC; however, if there is a regulatory change, it did. Dave shared comments from Eli Miller (KY) that allowing statements without guarantees should not be allowed. If the product met the AAFCO Nutrient Profiles, then the guarantee could be implied and thus not require a guarantee. But this would not be acceptable for products that did not meet the Profiles, such as supplements. Angele Thompson indicated that there was a working group that included Dave Syverson, Bill Burkholder and others over a year ago. Roger Hoestenbach agrees with the language, but said there are labels out there that would be questionable under this policy statement and guarantees would be required. He continued that there will always be someone to push this issue further than it was meant, but that should not keep the policy statement from being approved. Roger Hoestenbach made a motion to approve Policy Statement 29, and Rod Noel seconded the motion. Dave Syverson asked for discussion. Teresa Crenshaw said she has concerns about the section referring to “nutrients recognized by AAFCO.” Since AAFCO does not recognize nutrients other than in the Nutrient Profiles, nutrients not included in the Profiles would have to be guaranteed. Angele Thompson said that she did not want to be limited to the Nutrient Profiles but wanted to include nutrients for which there is a recognized need. Richard Sellers said that this proposal did not state that nutrients had to be recognized by the Profiles, but that AAFCO could at some point make a statement that a nutrient was recognized. Dave Syverson said that he has concerns that proposed Policy Statement 29 is a change to the law [Model Feed Bill Section 5(a) (3).]

Roger Hoestenbach said that AAFCO recognizes other nutritional bodies such as the NRC, but the mechanism works and should not be held up. Dave Dzanis said that the original language was limited to the Nutrient Profiles and asked if the change was made to include other bodies. Angele referred to the section in the Pet Food Regulations [Regulation PF7(g)] that listed other bodies recognized by AAFCO for nutritional adequacy. A vote was taken with two members voting against and three members voting for the policy statement. The motion was approved.

7. CLAIMS MADE IN LABELING IN THE INGREDIENT STATEMENT

Dave Syverson said this was an issue brought up by Ricky Schroeder. Ricky said he is seeing more claims made in the ingredient statement on pet food labels, such as “source of ...,” so he wants to talk about this with Bill Burkholder. Ingredient statements are looking more like an information statement rather than an ingredient statement, and Ricky wants to know where we are going with the issue.

8. STATUS OF THE “MIN-MAX” ISSUE

Dave Syverson asked if everyone had read the AAFCO Annual Report for action taken on this issue by the Model Bill Committee. He asked if this issue fits in with the guidelines in order to be considered by the committee. Bill Burkholder said there was a justification already written that clearly shows that this issue meets the committee guidelines. Roger Hoestenbach made a motion that this proposal is worthy for discussion by the committee. Rod Noel seconded the motion. The motion was approved.

Dave Syverson reviewed the discussion that took place with a small group that met in Gaithersburg. The Model Bills Committee questioned the exemption from the Model Feed Bill and also questioned limits - guarantees must represent the product. Ricky Schroeder then read his proposal that minimum guarantees were required unless a maximum guarantee was needed to support claims made in the labeling. He gave the example of low magnesium claims on cat food labels. His intent was to have language that would be acceptable for all AAFCO committees. Ricky explained that other feeds such as sheep feeds did have the necessary safeguards and were required to list minimum and maximum guarantees. Angele Thompson asked about minimum protein being an open-ended guarantee. Ricky feels that products well above the minimum guarantee could be considered misleading. Dave Dzannis brought up low magnesium guarantees and said that clearance was required by FDA to be able to make that claim. He questioned why every claim would require such clearance just to be able to give this information to the consumer. Bill Burkholder stated that the clearance is required for a claim of “low magnesium” and not because of a guarantee. This proposal says a guarantee for maximum magnesium can only be made if there is a claim, and such a claim would then require a review and clearance by FDA.

Angele Thompson asked about concerns for open-ended and arbitrary guarantees. She said she had reviewed the marketplace for such practices and did not see a problem. Dave Syverson asked why do we need a proposal then? Rod Noel discussed the original concern that Pet Food products are guaranteed as a minimum guarantee for calcium and salt while the Model Bill requires both minimum and maximum guarantees. Since then, other issues have been drawn into this discussion. Angele Thompson explained that this is a conflict between the Model Bill and Pet Foods Regulations, and that an exemption is needed for pet foods to label guarantees according to the Pet Food Regulations. She added that there was never an intent to exempt pet foods entirely from the Model Bill. Richard Sellers said that Paul Bachman was asked for an opinion, and he said that no exemption is necessary. Paul Bachman confirmed. Angele asked if she could just list a minimum guarantee for calcium. She asked if the committee could decide what needs to be done.

Dave Syverson asked if the committee would like to form a working group to resolve this issue. Tony Claxton said he brought this issue to the committee in 1999 and said that it should be clarified. As new people come along, this issue may resurface again. Rod Noel asked if there really was a problem. He said if not, then we can move on even though it really has not been resolved. He asked if there were problems with other nutrients in animal feeds, and Ricky Schroeder stated that these guarantees have already been addressed. Ricky said he is not seeing maximum guarantees being made, but he still has a problem with copper in sheep feeds. He added that because of the concentrations he sees in the marketplace, it would be difficult to establish a specific range between minimum and maximum guarantees. Nancy Cook asked if the Pet Food Committee could issue a statement that says we have looked at this issue for several years, and there is no need for a fix. We recognize that a problem may arise, but we don't know what that may be. She said she thinks we need to clarify that the current practice is acceptable without regulatory action. Jeanie Peron asked if the committee could reflect in the minutes that such a statement is not necessary and that a minimum and maximum guarantee is not required on pet foods. Dave indicated that the committee would not do this because honoring her request would constitute regulatory discretion and the PFC is not a regulatory body.

Roger Hoestenbach said the committee should not table this issue since that would mean it would be brought up again for discussion. He said it would be better to drop the issue, but the committee could address it in the future. Chair Dave Syverson agreed.

9. **PET FOOD LABELING GUIDE – ONGOING MAINTENANCE**

There was no discussion on this agenda item.

10. **SPECIALTY PET DISCUSSION ISSUES**

Roger Hoestenbach said that he is seeing a lot of products in the marketplace for aquariums. While this is not a big issue, he said that customers are spending a lot of money, and he feels we need to look into some of these concerns. Phytoplankton products are being seen and being grown as seed stock for human food such as for oysters, so they could possibly be considered as microscopic livestock. Roger said that there is a big show for aquariums in Texas, and his office will be looking into it. He is presenting this issue as a possible future topic for the committee.

Dave Dzanis said that APPMA does have members that deal with this issue, and that some of these organisms are questionable as specialty pets. Or, are they really water conditioners? They are not eating, and the definitions are not set up to address these kinds of organisms. They are similar to microorganisms, and it would be monumental to try to get through the safety issues. Consider the burden placed upon these manufacturers. Roger Hoestenbach says that he has concerns when these organisms are provided as nutrients, and they are packaged with no preservatives. He does not consider phytoplankton to be a water conditioner but perhaps a direct-fed microbial. Roger added that he does not have the authority not to regulate these products.

11. **NRC STATUS/ACTION – WHERE DO WE GO NOW?**

Bill Burkholder said the Pet Food Committee has discussed reconvening the Canine and Feline Nutrition Expert subcommittees after the NRC issued a new recommendation for dog and cat foods, and he wants direction from the committee as to what to do. He asked if this issue meets the committee guidelines. Rod Noel said that based upon Bill's opinion, if he thinks it should be reconvened, it should be done. Roger Hoestenbach made a motion that this issue should proceed if Bill feels it is necessary. Rod Noel seconded the motion. The committee approved the motion. Bill said that he would like to have nominations for membership by September 1 for two committees, perhaps three, depending upon whether there are one or two subcommittees established to review the NRC dog and cat food recommendations and the AAFCO Nutrient Profiles. This group could review and update the Nutrient Profiles as they stand now and then possibly develop a new senior nutrient profile, since these products cannot meet the current profiles. Bill said he is unsure if the subcommittee will take on this charge or if a separate subcommittee will be needed. He also mentioned that a milk replacer protocol had been requested at one time. Bill said that the canine/feline subcommittee would be set up by September 1, and the makeup of the group would be the same as last time with members from academia, industry and regulatory.

12. **USE OF NEGATIVE LABELING**

This agenda item was not discussed.

13. **PF3(e) 1 & 2**

This item was retracted from the agenda by the Chair.

14. **Proposal for PF10 by PFI**

This agenda item was not discussed.

The meeting was adjourned at 3:10 pm.

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