

**MINUTES  
AAFCO PET FOOD COMMITTEE  
AAFCO 2011 ANNUAL MEETING  
AUSTIN, TX**

**Sunday, July 31, 2011 1:15 PM - 3:00 PM Texas 4-7**

**1. Introduction of Pet Food Committee Members and Advisors**

Chair Elizabeth (Liz) Higgins (NM) called the meeting to order at 1:17 pm. The following Pet Food Committee (PFC) members and advisors were introduced:

**Committee Members**

Liz Higgins (NM) Chair  
Jan Jarman (MN) Vice-Chair  
Nate Bartz (WI)  
Dr. William Burkholder (FDA-CVM)  
Donna Dicesare (NY)  
Roger Hoestenbach (TX)  
Eric Nelson (FDA-CVM)

**Industry Advisors**

Jan Campbell (NGFA)  
Kurt Gallagher (PFI)  
Dr. David Dzanis (ACVN, APPA)  
Jarrod Kersey (AFIA)  
Dr. Angele Thompson (PFI)  
Leah Wilkinson (AFIA)

Committee members present by conference call were Lynn Sheridan (WA) and Teresa Crenshaw (DE).

A total of 7 control officials, 6 industry association representatives, and 37 guests signed the attendance roster.

**2. Announcements**

Donna Dicesare was welcomed as the newest Committee member. Donna is with the New York Department of Agriculture and Markets.

**3. Modifications to the Agenda**

Chair Liz Higgins requested two additions to the agenda:

- A.** Victoria Siegel, Chair of the Collaborative Check Sample Committee, asked to submit an industry request; and
- B.** Discussion of proposed revisions to the PFC Purpose Statement

Roger Hoestenbach (TX) motioned to accept the modifications to the agenda. Dr. Burkholder (FDA-CVM) seconded the motion. The motion was approved.

(Just prior to the end of the meeting, Jason Vickers (AFIA) requested that another item be added to the agenda - see Item 12. **Although this item was not part of the original motion, there were no objections to this addition to the agenda.**

#### **4. Approval of Minutes from St. Pete Beach, FL**

There were no corrections or revisions to the minutes. Dr. Burkholder (FDA-CVM) motioned to accept the minutes. Roger Hoestenbach (TX) seconded the motion. The motion was approved.

Chair Liz Higgins (NM) noted a typographical error in the Committee's 2010 Annual Report. "PF 0" was corrected to "PF 9".

#### **5. Collaborative Check Sample for Pet Food – Dr. Victoria Siegel (Office of the Indiana State Chemist)**

A new program has been proposed by a large pet food manufacturer for a collaborative check sample program for pet food. Dr. Siegel wanted to know if the PFC or industry had any interest in the project. She requested assistance from industry for obtaining samples. Dr. Angele Thompson (PFI) will discuss this with Dr. Siegel in more depth after the meeting.

#### **6. Committee Purpose Statement – Liz Higgins (New Mexico Department of Agriculture)**

Chair Liz Higgins (NM) asked the Committee to consider a proposed revision of the Committee Purpose Statement. This was a directive from the AAFCO Board of Directors and is due to the Board by September 1, 2011.

*Current Purpose Statement: Responsible for interpreting, maintaining and recommending revisions to the official Pet Food Regulations, which are the standards for uniformity in legislation, regulatory principles, and definitions concerning pet foods.*

*Proposed Purpose Statement: Interpret and recommend revisions to the Model Regulations for Pet Food and Specialty Pet Food under the Model Feed Bill; interpret and recommend revisions to the various Definitions, Guidelines, Nutrient Profiles, Feeding Protocols, Calculation Formulas and Affidavits which serve to substantiate claims and standards required for the distribution of pet food and specialty pet food; maintain and update the Pet Food and Specialty Pet Food Labeling Guide, including the example labels; and provide recommendation and assistance for training, workshops, and educational materials regarding pet food and specialty pet food.*

Teresa Crenshaw (DE) asked for the history of the proposed Purpose Statement. She did not think the PFC wrote the statement. Sharon Krebs (AAFCO) stated that the Strategic Affairs Committee looked at and proposed modifications to all current Committee Purpose Statements. Angele Thompson (PFI)-said the proposed statement is very specific in defining what the PFC will be interpreting/recommending and questioned if this specificity is needed. She would like to see consistency in the purpose statements with other AAFCO committees. Jan Campbell (NGFA) suggested that the committee consider the wording of the Feed Labeling Committee Purpose Statement (page 17 of the 2011 AAFCO Official Publication).

Chair Liz Higgins (NM) requested that the Committee and advisors provide comments to her and to Vice-Chair Jan Jarman (MN) by August 10, 2011. The Chair will consolidate the comments and send them to the committee members and advisors for further consideration.

## **7. Reports from the AAFCO PFC Working Groups**

### **A. Small Manufacturers Working Group/AAFCO Pet Food Website – Erin Bubb, PA Dept. of Agriculture & Lynn Sheridan, WA State Dept. of Agriculture**

Chair Liz Higgins reported on “The Business of Pet Food”, a new section on the AAFCO website. The Working Group sent a press release out to various organizations. Dr. Dzanis wrote an on-line article about the site for *Pet Food Industry Magazine*. Dr. Angele Thompson (PFI) said that industry organizations will encourage pet food manufacturers to visit the site. Chair Liz Higgins thanked everyone who worked on disseminating information about the new website and asked for comments and suggestions from anyone who reviews the site. Comments should be provided to Lynn Sheridan (WA) or Erin Bubb (PA). Erin Bubb is replacing Liz Higgins as co-chair of the Working Group.

### **B. Nutrient Profiles and Feeding Protocols Expert Committee - Dr. William Burkholder, FDA-CVM**

The Expert Committee reviewed several comments that were provided to the committee chair on the proposed revisions to the AAFCO Dog and Cat Food Nutrient Profiles and to the Feeding Protocols Expert Committee recommendations to the PFC. Dr. Burkholder indicated that the Expert Committee expect to have their response compiled by the midyear meeting in January 2012.

### **C. Carbohydrate Working Group – Jan Jarman, MN Dept. of Agriculture**

Jan Jarman (MN) stated that the Working Group is developing labeling requirements for starch and sugar guarantees. She expects to submit the Working Group’s final report to the PFC at the January 2012 Mid-Year Meeting in Reno, NV. Dr. Angele Thompson (PFI) commented that the Working Group may want to recommend to the PFC that the report be sent to the Laboratory Methods and Services Committee for review of analytical methods for starch and sugar.

## **8. Review the Proposed Language for AAFCO Regulation PF10 and Affidavit**

Chair Liz Higgins stated that revisions still need to be completed to the Calorie Content Working Group’s proposed language for PF10. These would be strictly editorial and would not be content-related.

Teresa Crenshaw (DE) and Jan Jarman (MN) developed some revisions to the proposed new language for PF10. Referring to this document, Teresa Crenshaw requested clarification on the difference between “weight maintenance”, “weight management”, and “weight control”, and asked if there were other weight-related terms that should be added, or if the language could just

refer to “any weight-related claim”. [see proposed PF10(c)(1) and (2)]. She also asked what was meant by “weight maintenance *implications*” in the phrase “...and the product is consistent with acceptable weight maintenance implications...” [see proposed PF10(c)(1)B]; and by “basis for the approach” in the phrase “A statement of the dietary and/or nutritional basis for the approach.”

Jan Jarman (MN) said that her main concerns are with the phrases highlighted in blue on the document she handed out to the Committee members (Teresa’s and Jan’s revisions). Phrases such as “acceptable weight maintenance implications” [PF10(c)(1)B] and “sound scientific knowledge” [PF10(c)(2)C i] are undefined and subjective, and it could be difficult for industry and regulators to determine or agree on which “weight maintenance implications” are acceptable. Although the nutritional basis for some types of weight-related claims is commonly known to be based on “sound scientific knowledge”, there could also be instances where substantiation of a claim must be evaluated by regulators without the specialized knowledge (or the time) to do so.

Dr. Dave Dzanis (ACVN) said he thinks the intent of these parts of the regulations is to ensure that weight-related claims have a sound scientific basis. The phrases could be worded differently, but there does need to be something similar in the regulation. Dr. Dzanis agreed that “weight-loss” could be included in the heading of PF10(c)(2) and the text of [PF10(c)(2)A]. He cautioned against deleting any requirements for calorie content statements on labels with weight-related claims, because Regulation PF9 has not yet been voted on by the AAFCO Board or general membership.

Dr. Angele Thompson (PFI) said that she had not yet seen the document with Teresa’s and Jan’s suggested revisions, and she recommended that any changes be deferred until industry has had an opportunity to review the document. Jan Jarman (MN) replied that this was just a working document with the changes she would like the committee to discuss, along with any changes anyone else would like to propose. Dr. Bill Burkholder (FDA-CVM) said he was unclear on which version was to be reviewed. Dr. Thompson (PFI) said Regulation PF10 was originally drafted separately from Regulation PF9, and weight-related claims were already being seen on labels.

Roger Hoestenbach (TX) said the committee members’ comments were very meritorious, and that some language does need clarification. He proposed that this be moved back to the Calorie Content Working Group to develop the revisions to Regulation PF10 and the Affidavit. The Working Group members are Roger Hoestenbach (TX), Chair, Jan Jarman (MN), Teresa Crenshaw (DE), and Dr. Bill Burkholder (FDA CVM) with industry advisors Dr. David Dzanis (ACVN), and representatives from PFI and AFIA to be determined at a later date. A deadline of September 15 was set for the Working Group to develop the revisions and provide to the PFC Chair, and October 1, 2011 for providing the revisions to the full PFC Committee members and advisors. This would provide adequate time for review prior to discussion at the Mid-Year Meeting in January 2012. Then Regulation PF10 could move to the Board for consideration with the revisions to Regulation PF9.

**9. Disclaimer Statement for the AAFCO Website Concerning Use of AAFCO’s Name (i.e., “AAFCO Approved”)**

Chair Liz Higgins (NM) stated that this agenda item had been requested by the AAFCO Board of Directors. Teresa Crenshaw drafted the first language for this statement as a starting point.

*The Association of American Feed Control Officials (AAFCO) does not approve, certify or regulate pet food in any way. It is therefore considered false and misleading for a pet food label or labeling to include statements, whether explicit or implied, that the pet food is “AAFCO Approved”, “AAFCO Compliant” or any such statement of similar meaning.*

Larry Hawley (Del Monte Pet Products) stated that industry needs to be able to say products meet “AAFCO standards” or are “AAFCO Compliant”. Jason Vickers (AFIA) supports this position, and suggested that “compliant” be eliminated. Kurt Gallagher (PFI) suggested a second statement be added as to who regulates pet food. Dr. Angele Thompson (PFI) asked where this statement would go – on the AAFCO website or as a Statement of Uniform Interpretation and Policy (SUIP) in the AAFCO Official Publication. Dr. David Dzanis (APPA) suggested adding ‘AAFCO Certified’ or “AAFCO Tested” if “AAFCO compliant” is not acceptable. Dr. Angele Thompson (PFI) stated that the nutritional adequacy statement references the AAFCO Nutrient Profiles so the PFC must be careful not to conflict with this language.

Liz Higgins (NM) read the disclaimer and verbiage on the new “Business of Pet Food” website site which gives more detailed information on how pet food is regulated in the United States. She stated that regulators are seeing these terms used more and more, and receives numerous emails from both the pet food industry and consumers about these terms or how they can get their products “AAFCO Approved”. Lynn Sheridan (WA) stated that Washington regulations do not allow any reference to approval statements.

Teresa Crenshaw (DE) stated that the AAFCO Board did not state where this statement should go, either in the Official Publication or on the AAFCO website but that feed control officials need to know where this statement will be placed. The AAFCO Board is concerned with liability as these statements go beyond the acceptable language on labels in regard to the statement of nutritional adequacy.

Chair Liz Higgins (NM) stated that she will work on this statement and will email to the PFC Committee and Advisors and would like comments back by October 15, 2011. She will summarize comments which can be discussed at the January 2012 midyear meeting in Reno, NV.

**10. AAFCO Guidelines for Tartar Control Claims. *Is there a Conflict with FDA Policy?***

Chair Liz Higgins (NM) stated that this was an agenda item submitted by Dr. Colin Harvey of the Veterinary Oral Health Council (VOHC). He had contacted Teresa Crenshaw (DE) who was the previous PFC Chair regarding possible conflicts in the tartar control claims guidance referenced in the AAFCO Official Publication and FDA policy. Ms. Higgins stated that neither she nor Teresa Crenshaw had time to complete a detailed review on the information submitted by Dr. Harvey. Ms. Higgins requested volunteers for a Working Group to review this material.

Teresa Crenshaw will send all information to the Chair to be forwarded to the Working Group. The Working Group members are Nate Bartz (WI) Chair, Dr. Bill Burkholder (FDA CVM), Eric Nelson (FDA CVM), Donna Dicesare (NY), and Dr. Dave Dzanis (APPA).

**11. Minimum and Maximum Guarantees on Pet Food Labels. *Is there a conflict with the Model Regulations for Feed?***

Chair Liz Higgins (NM) stated that this was an agenda item prior to her becoming Chair and asked Teresa Crenshaw to explain why it had been added to the agenda. Teresa Crenshaw (DE) stated that the agenda item came from a question from a feed control official regarding why guarantees for pet food were different from livestock feed regarding minimums and maximums on calcium guarantees. Eric Nelson (FDA CVM) stated that if there is a conflict, that the question should be sent to the Model Bill Committee. Chair Liz Higgins will ask for clarification on this issue from the Model Bill Committee.

**12. Additional Agenda Item –**

Jason Vickers asked the Chair to add an additional agenda item since there was time remaining for this meeting. He requested an update from Dr. Burkholder on the Food and Drug Administration Amendments Act (FDAAA) standards/guidelines and the Chair agreed. Dr. Burkholder (FDA CVM) stated that FDAAA was moving forward slowly and does not foresee significant changes in the charge of the PFC relative to these standards.

**HOMEWORK**

- Industry advisors are to submit updated e-mails and contact information to the Chair by August 5, 2011;
- PF10 working group report is due by September 15 and the Chair will provide to the full PFC by October 1; and
- The proposed disclaimer will be mailed to the PFC members and advisors after the annual meeting. Comments are due to the Chair by October 15, 2011.

**13. Adjourn Pet Food Committee Meeting**

Jan Jarman (MN) moved that the PFC meeting be adjourned. Nate Bartz (WI) seconded the motion. The PFC meeting was adjourned at 2:52 pm, Sunday, July 31, 2011.

## **Minutes from E-Vote on Committee Purpose Statement:**

Proposed Purpose Statement: *Interpret and recommend revisions to the Model Regulations for Pet Food and Specialty Pet Food under the Model Feed Bill; interpret and recommend revisions to the various Definitions, Guidelines, Nutrient Profiles, Feeding Protocols, Calculation Formulas and Affidavits which serve to substantiate claims and standards required for the distribution of pet food and specialty pet food; maintain and update the Pet Food and Specialty Pet Food Labeling Guide, including the example labels; and provide recommendation and assistance for training, workshops, and educational materials regarding pet food and specialty pet food.*

Comments on the proposed purpose statement were consolidated and an alternative purpose statement was developed (shown below) which differs from the above proposed Purpose Statement.

- September 1, 2011: Roger Hoestenbach motioned to accept the Pet Food Committee's revised purpose statement.
- September 1 2011: The motion was seconded by Eric Nelson. Chair Liz Higgins called for discussion.
- September 6, 2011: Jan Jarman (MN) suggested punctuation changes to the purpose statement.
- September 8, 2011: Jan motioned to accept the amended purpose statement with the punctuation changes. Tony Claxton seconded the motion.
- September 9, 2011: Chair Liz Higgins called for a vote.
- September 12, 2011: The amended version with punctuation changes was passed with a majority vote, 8 Aye and one abstain.
- September 12, 2011: Chair Liz Higgins called for discussion on the newly amended purpose statement.
- September 12, 2011: Liz ended discussion and called for a vote.
- September 13, 2011, Liz declared that the motion to accept the amended purpose statement passed with a majority vote of 8 For and 1 Against. The PFC Purpose statement which was sent to the AAFCO Board of Directors on September 13, 2011 is as follows:

### **PFC Revised Purpose Statement:**

*Work cooperatively with FDA, the pet food industry and other stakeholders to monitor, review and recommend appropriate revisions to the AAFCO Official Publication as related to pet food and specialty pet food and suggest additional activities, when such are needed, to more effectively: 1) provide protection for the consumer and the regulated industry; 2) safeguard the health of humans and animals; 3) provide a structure for orderly commerce; and 4 ) provide recommendations and assistance for training, workshops and educational materials regarding pet food and specialty pet food.*

