

Model Bills and Regulations Committee Report
2020 AAFCO Annual Meeting
August 5, 2020 – Virtual

Committee Recommendations:

The Model Bills and Regulations Committee recommends the following revisions be made to the Model Bills and Regulations, and that the AAFCO Board of Directors review the proposed revisions for future consideration by the Association membership.

1. Insert into Regulation 3(a)(4) of the AAFCO Model Regulations the following language to establish required guarantees for treats:

- XI. Required guarantees for treats (all animal classes and species, exclusive of pets and specialty pets)
 - a. Minimum percentage of Crude Protein
 - b. Minimum percentage of Crude Fat
 - c. Maximum percentage of Crude Fiber
 - d. Other guarantees, as needed to support nutrient content claims in the labeling as per Model Bill Section 5(a)(3), and in accordance with terminology, order of guarantees and units of expression as specified in Model Regulations 3(a)(4) and 4.

If the new guarantees for treats as stated above are approved by the AAFCO membership, current AAFCO Model Regulation 3(a)(4)(XI) would become 3(a)(4)(XII) and current AAFCO Model Regulation 3(a)(4)(XII) would become 3(a)(4)(XIII).

2. Add to Regulation 3(a)(3) of the AAFCO Model Regulations the following language to establish a purpose statement requirement for treats:

- VIII. The purpose statement of a feed intended as a treat for a designated species (exclusive of pets and specialty pets) shall include the words “treat” or “snack” and the intended species conspicuously on the principal display panel.

Board Recommendations:

Association Actions:

Committee Report and Minutes:

Model Bills and Regulations Committee Chairman Doug Lueders called the meeting to order at 3:15 p.m. on Aug. 5, 2020. He welcomed committee members, industry advisers and guests who were present, and reviewed the agenda.

In addition to Chairman Lueders, committee members participating in the meeting were Ken Bowers (Kansas), Eric Brady (Tennessee), William Burkholder (FDA), David Dressler (Pennsylvania), George Ferguson (North Carolina), Kristen Green (Kentucky), Darrell Johnson (Kentucky), Ben Jones (Texas), Richard Ten Eyck (Oregon), Austin Therrell (South Carolina) and Scott Ziehr (Colorado).

Industry advisers participating were Meghan Dicks and Steve Younker (AFIA), Julia Fidenzio (APPA), Dave Dzanis (APPA/ACVN), Jan Campbell and David Fairfield (NGFA), Catherine Alinovi (NGPFMA), and Angele Thompson and Pat Tovey (PFI).

AAFCO Executive Director Sue Hayes also participated in the meeting.

Minutes from Previous Committee Meetings

Chairman Lueders noted that minutes from the committee's January 21, 2020 meeting conducted in Albuquerque were previously approved on March 11, posted on the AAFCO website and Feed BIN and were included in the 2020 AAFCO Annual Meeting Committee Reports.

Old Business

Chairman Lueders noted that no old business had been carried forward from the Albuquerque meeting.

New Business

1. Required Guarantees for Treats

The committee considered the following language approved by the Feed Labeling Committee to be inserted into Regulation 3(a)(4) of the AAFCO Model Regulations to establish required guarantees for treats:

- XI. Required guarantees for treats (all animal classes and species)
 - a. Minimum percentage of Crude Protein
 - b. Minimum percentage of Crude Fat
 - c. Maximum percentage of Crude Fiber
 - d. Other guarantees, as needed to support nutrient content claims in the labeling as per Model Bill Section 5(a)(3), and in accordance with terminology, order of guarantees and units of expression as specified in Model Regulations 3(a)(4) and 4.

If the new guarantees for treats as stated above are approved by the AAFCO membership, current AAFCO Model Regulation 3(a)(4)(XI) would become 3(a)(4)(XII) and current AAFCO Model Regulation 3(a)(4)(XII) would become 3(a)(4)(XIII).

David Dressler moved to accept the language with the following revision (added language **bold** and underscored):

- XI. Required guarantees for treats (all animal classes and species, **exclusive of pets and specialty pets**)
 - a. Minimum percentage of Crude Protein
 - b. Minimum percentage of Crude Fat
 - c. Maximum percentage of Crude Fiber
 - d. Other guarantees, as needed to support nutrient content claims in the labeling as per Model Bill Section 5(a)(3), and in accordance with terminology, order of guarantees and units of expression as specified in Model Regulations 3(a)(4) and 4.

Kristen Green seconded the motion. The committee voted to approve.

2. Purpose Statement for Treats

The committee considered the following language approved by the Feed Labeling Committee to be added to Regulation 3(a)(3) of the AAFCO Model Regulations to establish a purpose statement requirement for treats:

VIII. The purpose statement of a feed intended as a treat for a designated species shall include the words “treat” or “snack” and the intended species conspicuously on the principal display panel.

David Dressler moved to accept the language with the following revision (added language **bold** and underscored):

VIII. The purpose statement of a feed intended as a treat for a designated species (**exclusive of pets and specialty pets**) shall include the words “treat” or “snack” and the intended species conspicuously on the principal display panel.

Kristen Green seconded the motion. The committee voted to approve.

3. Definition of Labeling

Stan Cook requested that the committee consider revising the existing definition of labeling so that states could more broadly regulate information communicated about commercial feeds.

AAFCO’s current definition for labeling (Model Bill Section 3(j)) is as follows:

The term “labeling” means all labels and other written, printed or graphic matter (1) upon a commercial feed or any of its containers or a wrapper or (2) accompanying such commercial feed.

Stan Cook suggested two potential revisions to the existing definition (added language **bold** and underscored, deleted language ~~stricken through~~):

- a. The term "labeling" means all labels and other written, printed or graphic matter ~~(1) upon a commercial feed or any of its containers or a wrapper or (2) accompanying such commercial feed.~~
- b. The term "labeling" means all labels and other written, printed or graphic matter (1) upon a commercial feed or any of its containers or a wrapper or (2) accompanying or **supporting** such commercial feed.

Chairman Lueders also suggested for consideration the following definition of labeling established by Minnesota statute:

"Labeling" means all labels and other written, printed, or graphic matter upon a commercial feed or any of its containers or wrapper or accompanying or supporting such commercial feed.

In response to ensuing committee discussion, Scott Ziehr moved to establish a workgroup within the Model Bills and Regulations Committee to further evaluate potential revisions to the Labeling definition. George Ferguson seconded the motion. The committee voted to approve.

Individuals designated by Chairman Lueders to serve on the workgroup were Jan Campbell, Stan Cook, David Dressler, Dave Dzanis, George Ferguson (chair), Ben Jones, Richard Ten Eyck, Angele Thompson, Scott Younker, and Scott Ziehr.

Adjournment

Chairman Lueders asked whether there was any other business to be considered by the committee. Given that none was identified, the committee meeting was adjourned at 4:00 p.m.

On behalf of the Model Bills and Regulations Committee, I respectfully submit this report and request acceptance of the report and recommendations by the AAFCO Board of Directors and the Association membership.