

Attachment C

2016 MBRC mid-year meeting

AFIA proposed changes to the AAFCO Model Bill November, 2015

Edit Requested	MB Section	Language showing edit	Rationale
Should say “registrant/licensee” in the definition for “brand name”	Section 3. Definitions	(a) The term “brand name” means any word, name, symbol, or device, or any combination thereof, identifying the commercial feed of a distributor or registrant/ <u>licensee</u> and distinguishing it from that of others.	The MB allows for states to decide between registration or licensing therefore this option should be stated here to get it correctly stated in state law.
Add “commercial” in front of “feed” in the definition for “official sample”	Section 3. Definitions	(m) The term “official sample” means a sample of <u>commercial</u> feed taken by the _____ or their agent in accordance with the provisions of Section 11(c), (e), or (f) of this Act.	Throughout the MB it is always referred to as “commercial feed” or another qualifier (customer-formula feed, medicated) but it was not in this definition.
Add “commercial” in front of “feed” in the definition for “drug”	Section 3. Definitions	(g) ...articles other than <u>commercial</u> feed intended to affect ...	Throughout the MB it is always referred to as “commercial feed” or another qualifier (customer-formula feed, medicated) but it was not in this definition.
Add “domesticated” in front of “dog or cat” in the definition of “pet”	Section 3. Definitions	(q) The term “pet” means <u>domesticated</u> dog or cat.	In (u) specialty pet – it states “domesticated animal...” and we think the intent of AAFCO is to cover domesticated dogs and cats only and this clarifies that.
Add “commercial” in front of “feed” in this Labeling section	Section 5. Labeling	(a)(3) ...advise the user as to the composition of the	Throughout the MB it is always referred to as “commercial feed” or

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		<u>commercial</u> feed or to support...	another qualifier (customer-formula feed, medicated) but it was not in this section
Add “commercial” in front of “feed” in this Labeling section	Section 5. Labeling	(a)(6) ...and for such other <u>commercial</u> feeds as the _____ may require...	Throughout the MB it is always referred to as “commercial feed” or another qualifier (customer-formula feed, medicated) but it was not in this section
Change “their” to “its” when referring to the firm	Section 8. Prohibited Acts	(h) Bags or totes used for commercial feeds (including customer-formula feed) shall not be re-used unless appropriately cleaned. A firm that intends to re-use bags or totes must document their <u>its</u> cleanout procedures.	“Its” is appropriate when talking about the “firm”
Add “commercial” in front of “feed” in this Certificates section	Section 12. Certificates	Opening sentence where it says ...access to markets for <u>commercial</u> feed and ingredients...	Throughout the MB it is always referred to as “commercial feed” or another qualifier (customer-formula feed, medicated) but it was not in this section
Change “an” to “any”	Section 14. Penalties	(h) In <u>any</u> action to compel performance of an order of the _____ to enforce this Act, the court must require a defendant adjudged responsible to perform the acts within the person’s power that are reasonably necessary to accomplish the purposes of the order.	It should be “any” action to be consistent with the rest of the section and the use of “any”
Require rule-making to define conditions	Section 4. Registration and Licensing	(d) <u>The _____ is authorized to</u>	The state should need to detail out under rule-

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labels would be requested.	Option B. Licensing	<u>promulgate a rule defining under what conditions the _____ may request labels and/or labeling from a license applicant or licensee. The _____ may request from, at any time, a license applicant or licensee copies of labels and labeling in order to determine compliance with the provisions of the Act.</u>	making the conditions for which they may request labels. The rule-making process would allow transparency in the thought process and rationale between the state official and the industry.
Require rule-making to define conditions labels would be requested.	Section 4. Registration and Licensing Option C. Registration and Licensing	(d) <u>The _____ is authorized to promulgate a rule defining under what conditions the _____ may request labels and/or labeling from a license applicant or licensee. The _____ may request from, at any time, a license applicant or licensee copies of labels and labeling in order to determine compliance with the provisions of the Act.</u>	The state should need to detail out under rule-making the conditions for which they may request labels. The rule-making process would allow transparency in the thought process and rationale between the state official and the industry.