Model Regulations for Pet Food and Specialty

Pet Food Under the Model Bill

These Model Regulations are approved by the Association of American Feed Control Officials (AAFCO) under the Model Bill and in conjunction with the Model Regulations. States proposing to adopt these Model Regulations for Pet Food and Specialty Pet Food under their own state feed law are encouraged to adopt AAFCO's Model Regulations for feed, which also apply to pet food and specialty pet food, unless otherwise noted within these regulations.

Pursuant to due publication and public hearing required by the provisions of Chapter ____ of the Laws of this State, the ____has adopted the following Rules and Regulations.

Regulation PF1. Definitions and Terms

The definitions in the Model Bill and Model Regulations shall apply in addition to the following:

- (a) "All Life Stages" means gestation/lactation, growth, and adult maintenance life stages.
- (b) "Family" means a group of products, which are nutritionally adequate for any or all life stages based on their nutritional similarity to a lead product, which has been successfully test-fed according to an AAFCO feeding protocol(s).
- (c) "Immediate Container" means the unit, can, box, tin, bag, or other receptacle or covering in which a pet food or specialty pet food is displayed for sale to retail purchasers, but does not include containers used as shipping containers.
- (d) "Ingredient Statement" means a collective and contiguous listing on the label of the ingredients of which the pet food or specialty pet food is composed.
- (e) "Principal Display Panel" means the part of a label that is most likely to be displayed, presented, shown or examined under normal and customary conditions of display for retail sale.
- (f) "Pet Nutrition Facts" is a graphic box located on the label containing nutritional information for a pet food product.
- (g) "Specialty Pet Nutrition Facts" is a graphic box located on the label containing nutritional information for a specialty pet food product.

42 •

1

2

3

4 5 6

7

8

9

10

11

12

13

14

15

16 17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36 37

38

39

40

41

43

Regulation PF2. Label Format and Labeling

- (a) Pet food and specialty pet food shall be labeled with the following information prescribed in this Regulation:
 - Product name and brand name, if any, on the principal display panel as stipulated in Regulation PF3;
 - (2) A Statement specifying the species name of pet or specialty pet for which the food is intended, conspicuously designated on the principal display panel;
 - (3) Quantity statement, as defined in Section 3(s) of this Act and Regulation 3(a)(8) of the Model Regulations, by weight (pounds and ounces, and metric), liquid measure (quarts, pints and fluid ounces, and metric) or by count, on the principal display panel;
 - (4) Pet Nutrition Facts or Specialty Pet Nutrition Facts as stipulated in Regulation PF4;

• • •

Regulation PF4. Pet and Specialty Pet Nutrition Facts

- (a) A Pet Nutrition Facts box shall be displayed in a prominent place on the label of all pet foods (including snacks, treats, and food supplements), but not necessarily on the PDP, utilizing the format displayed in PF4(j) in black type with white background under the heading "Pet Nutrition Facts." The box contains the following required elements:
 - (1) The unit of common measure and its weight in grams.
 - (2) A statement of calorie content and meet all of the following:
 - A. The statement shall indicate Calories per the familiar household unit (i.e. can, cup, treat or piece) as shown in the upper left corner of the Pet Nutrition Facts box.
 - B. The statement shall be measured in terms of metabolizable energy (ME) on an "as fed" basis; and
 - C. The calorie content is determined by one of the following methods:
 - i By calculation using the following "Modified Atwater" formula: ME (kcal/kg) = 10[(3.5 × CP) + (8.5 × CF) + (3.5 × NFE)], where ME = metabolizable energy, CP = % crude protein "as fed," CF = % crude fat "as fed," NFE = % nitrogen-free extract (carbohydrate) "as fed," and the percentages of CP and CF are the average values of these components in the product as determined by sound scientific methods, such as, but not limited to scientifically accurate calculations made from the formula of the product or upon chemical analysis of the product. The NFE is calculated as the difference between 100 and the sum of CP, CF, and the percentages of crude fiber, moisture and ash (determined in the

90		same manner as CP and CF); or
91		ii In accordance with a testing procedure established by AAFCO.
92	D	An affidavit shall be provided upon the request of,
93	D.	
		substantiating that the calorie content was determined by:
94		i Regulation PF4(a)(1)(C)(i) in which case the summary data
95		used in the calculation shall be included in the affidavit; or
96		ii Regulation PF4(a)(1)(C)(ii) in which case the summary data
97		used in the determination of calorie content shall accompany
98		the affidavit.
99	E.	The calorie content statement shall appear as one of the following:
100		i The heading "Calories per (familiar household unit)" on the
101		label or other labeling shall be followed parenthetically by the
102		word "calculated" when the calorie content is determined in
103		accordance with Regulation $PF4(a)(1)(C)(i)$; or
104		ii The heading "Calories per (familiar household unit)" on the
105		label or other labeling shall be followed parenthetically by the
106		word "fed" when the calorie content is determined in
107		accordance with Regulation PF4(a)(1)(C)(ii).
108	F.	Below the calorie content statement, the number of calories
109		contributed by Protein, Fat and Carbohydrate shall be declared
110		after the heading "From:" in kcal.
	3) The	e "Guaranteed Amount" values shall be listed in the following order
112		the format shown in PF4(j) unless otherwise specified in these
113		
		gulations:
114	A.	A pet food label shall list the following required guaranteed
115		amounts based upon the following tests;
116		i Protein is minimum percentage of crude protein
117		ii Fat is minimum percentage of crude fat;
118		iii Non Fiber Carbohydrate is maximum percentage equal to [100
119		- (Crude Protein + Dietary Fiber + Moisture + Ash)]
120		(designated on small packages as Carb);
121		iv Dietary Fiber is maximum percentage of total dietary fiber
122		(designated on small packages as Fiber);
123		
124		
		vi Maximum percentage of crude fat shall be listed as Fat Max
125		between Fat Min and Non Fiber Carbohydrate if required by
126		Regulation PF 9;
127		vii Additional guarantees shall follow moisture below a bold line.
128	В.	When ash is listed in the guaranteed amount on a pet food label, it
129		shall be guaranteed as a maximum percentage and shall
130		immediately follow moisture above the bold line.
131	C.	When listed on the label of a dog or cat food product, guarantees
132		for dietary starch and sugars shall be stated as maximum
133		guaranteed amounts. Neither guaranteed amount shall be listed
134		without the other. The guaranteed amount for dietary starch shall
135		follow ash, if also listed, or moisture if ash is not listed. The
136	_	guaranteed amount for sugars shall follow dietary starch.
137	D.	A dog or cat food label shall list other required or voluntary
138		guaranteed amounts in the same order and units of the nutrients in
139		the AAFCO Dog (or Cat) Food Nutrient Profiles below a double
140		bolded line. Guaranteed amounts for substances not listed in the

AAFCO Dog (or Cat) Food Nutrient Profiles, or not otherwise 142 provided for in these Regulations, shall immediately follow the 143 listing of the recognized nutrients and shall be accompanied by an 144 asterisk referring to the disclaimer "not recognized as an essential 145 nutrient by the AAFCO Dog (or Cat) Food Nutrient Profiles." The 146 disclaimer shall appear immediately after the last such guaranteed 147 amount in the same size type as the guarantees. 148 (4) The "Amount of Nutrient per Familiar Household Measure" for each 149 "Guaranteed Amount" is determined by multiplying the Guaranteed 150 Amount percentage by the number of grams in the familiar household 151 unit. On large packages, this can be found in the upper right (C). On 152 small packages, this is the weight in grams of the container. 153 (b) A Specialty Pet Nutrition Facts box shall be displayed in a prominent place 154 on the label of all specialty pet foods, but not necessarily on the PDP, 155 utilizing the format displayed in PF4(k) in black type with white 156 background under the heading "Specialty Pet Nutrition Facts." The box 157 contains the following required elements: 158 (1) The unit of common measure and its weight in grams 159 (2) The "Guaranteed Amount" values shall be listed in the following order 160 and format shown in in PF4(k) unless otherwise specified in these 161 Regulations: 162 A. A specialty pet food label shall list the following required 163 guaranteed amounts based upon the following tests; 164 Protein is minimum percentage of crude protein 165 Fat is minimum percentage of crude fat; 166 iii Non Fiber Carbohydrate is maximum percentage equal to [100] 167 - (Crude Protein + Dietary Fiber + Moisture + Ash)] 168 (designated on small packages as Carb); 169 Dietary Fiber is maximum percentage of total dietary fiber 170 (designated on small packages as Fiber); and 171 Moisture is maximum percentage of moisture; 172 vi Additional guarantees shall follow moisture below a bold line. 173 B. When ash is listed in the guaranteed amount on a specialty pet 174 food label, it shall be guaranteed as a maximum percentage and 175 shall immediately follow moisture above the bold line. 176 C. A specialty pet food label shall list other required or voluntary 177 guaranteed amounts in the same order and units of the nutrients in 178 an AAFCO-recognized nutrient profile for the specific species; 179 however, if no species-specific AAFCO- recognized nutrient 180 profile is available, the order and units shall follow the same order 181 and units of nutrients in the AAFCO Cat Food Nutrient Profile. 182 Guaranteed amounts for substances not listed in an AAFCO 183 recognized nutrient profile for the specific species of animal shall 184 immediately follow the listing of recognized nutrients and shall be 185 accompanied by an asterisk referring to the disclaimer "not 186 recognized as an essential nutrient by the _____." (Blank is to 187 be completed by listing the specific AAFCO recognized nutrient 188 profile.) This disclaimer shall appear immediately after the last 189 such guaranteed amount in the same size type as the guarantees. 190 No such disclaimer shall be required unless an AAFCO-191 recognized nutrient profile is available for the specific species of

192

193

194

195

196

specialty pet.

- (3) The "Amount of Nutrient per Familiar Household Measure" for each "Guaranteed Amount" is determined by multiplying the Guaranteed Amount percentage by the number of grams in the familiar household unit. On large packages, this can be found in the upper right (C). On small packages, this is the weight in grams of the container.
- (c) The sliding scale method of expressing a guaranteed amount on a pet food or specialty pet food label (for example, "Protein 15–18% Min") is prohibited.
- (d) The Pet Nutrition Facts or Specialty Pet Nutrition Facts box of a pet food or a specialty pet food which is formulated as and represented to be a mineral supplement shall include:
 - Minimum guaranteed amounts for all minerals from sources declared in the ingredient statement and established by an AAFCO-recognized nutrient profile, expressed as the element in units specified in the nutrient profile; or
 - (2) Minimum guaranteed amounts for all minerals from sources declared in the ingredient statement expressed as the element in units specified in the AAFCO Cat Food Nutrient Profiles when no species-specific nutrient profile has been recognized by AAFCO; and provided that
 - (3) Mineral guaranteed amounts required by Regulation PF4 (d)(1) and (2) shall be expressed in units consistent with the AAFCO nutrient profiles and in milligrams (mg) per unit (e.g., tablets, capsules, granules, or liquids) consistent with those employed in the quantity statement and directions for use; and
- (e) The Pet Nutrition Facts or Specialty Pet Nutrition Facts box of a pet food or a specialty pet food which is formulated as and represented to be a vitamin supplement shall include:
 - (1) Minimum guaranteed amounts for all vitamins from sources declared in the ingredient statement and established by an AAFCO-recognized nutrient profile, expressed in units specified in the nutrient profile; or
 - (2) Minimum guaranteed amounts for all vitamins from sources declared in the ingredient statement expressed in units specified in the AAFCO Cat Food Nutrient Profiles when no species-specific nutrient profile has been recognized by AAFCO; and provided that
 - (3) Vitamin guaranteed amounts required by Regulation PF4(e)(1) and (2), shall be expressed in units consistent with the AAFCO nutrient profiles and in approved units (e.g., IU, mg, g) per unit (e.g., tablets, capsules, granules, or liquids) consistent with those employed in the quantity statement and directions for use; and
- (f) When the label of a pet food or specialty pet food includes a comparison of the nutrient content of the food with levels established by an AAFCOrecognized nutrient profile such as a table of comparison, a percentage, or any other designation referring to an individual nutrient or all of the nutrient levels, the following apply;
 - (1) The product shall meet the AAFCO-recognized nutrient profile; and
 - (2) The statement of comparison shall be preceded by a statement that the product meets the AAFCO-recognized profile: however, the statement that the product meets the AAFCO-recognized nutrient profile is not required provided that the nutritional adequacy statement as per Regulation PF7(a)(1) or PF7(b)(2)(A) appears elsewhere on the

255

256

257

258

259

260

261

262

263

264

265

266 267

268

product label; and

- (3) The statement of comparison of the nutrient content shall constitute a guarantee, but need not be repeated in the guaranteed amount column; and
- (4) The statement of comparison may appear on the label separate and apart from the guaranteed amount column.
- (g) The maximum moisture declared on a pet food or specialty pet food label shall not exceed 78.00% or the natural moisture content of the ingredients, whichever is higher. However, pet food and specialty pet food such as, but not limited to, those consisting principally of stew, gravy, sauce, broth, aspic, juice, or a milk replacer, and which are so labeled, may contain moisture in excess of 78.00%.
- (h) Guarantees for protein, fat, non-fiber carbohydrate and dietary fiber are not required when the pet food or specialty pet food is intended for purposes other than to furnish these substances or they are of minor significance relative to the primary purpose of the product, such as a mineral or vitamin supplement.
- (i) Guaranteed amounts for microorganisms and enzymes shall be stated in the format as stipulated in Model Regulations 4(g) and (h). The "Amount of Nutrient per Familiar Household Measure" column should be left blank. For enzymes, the explanation of activity units should follow the disclaimer within the box.
- (j) Pet Nutrition Facts Formatting Guide:

Minimum requirement for packages with a total printable area greater than or equal to 12 square inches.

Specialty Pet Nutrition Facts					
$ (\mathbf{B}) = \mathbf{\Theta}g $					
Nutrients	Guaranteed Amount	Amount of Nutrient Per 🗘			
Protein	% Min	⊙ g			
Fat	% Min	⊙ g			
Non Fiber Carbohydrate		⊙ g			
Dietary Fiber		⊙ g			
Moisture	⊙ % Max	9 g			

Minimum requirement for packages with a total printable area less than 12 square inches (small packages).

Pet Nutrition Facts Per () Calories/ () (()): (3), From Protein (3), Fat (3), Carbs (1) Nutrient Guarantees/Amount per (3): Protein (1) % Min/ (3)g, Fat (1) % Min/ (3)g, Carb (1) % Max/ (3)g, Fiber (1) % Max/ (3)g, Moisture (1) % Max/ (3)g

277

Sample format for packages with a total printable area greater than or equal to 12 square inches with voluntary guaranteed amounts per PF4 or required additional guaranteed amounts per PF9.

Pet Nutr	ition	Facts		
A	101011	(B) = O g		
Calories Per (A)		G		
From: Protein F, F	Guaranteed	Amount of Nutrient Per		
Protein	Min Min	S q		
Fat	Ø % Min	A g		
① Fat	0 % Max	6 g		
Non Fiber Carbohydrate	0 % Max	O g		
Dietary Fiber	Max	O g		
Moisture	Max	9 g		
() Ash	Max	9 g		
0	(Min or Max)	Ф		
™ *	(Min or Max)	ŏ		
(•) Food Nutrient Profiles. [Explanation of enzyme units]				

Sample format for packages with a total printable area less than 12 square inches with voluntary guaranteed amounts per PF4 or required additional guaranteed amounts per PF9.

```
Pet Nutrition Facts Per (A) Calories/ (A) ( ( )): (3), From Protein (3), Fat (3), Carbs (1) Nutrient Guarantees/Amount per (3): Protein (3) % Min/ (3) g, Fat (3) % Min/ (3) g, Moisture (3) % Max/ (3) g, Fiber (3) % Max/ (3) g, Moisture (3) % Max/ (3) g, Gab (3) % Max/ (3) g, Fiber (3) % Max/ (3) g, Moisture (3) % Max/ (3) g, Gab (3) % Max/ (3) g, Fiber (3) % Max/ (3) g, Moisture (3) % Max/ (3) g, Gab (3) % Max/ (3) g, Fiber (3) % Max/ (3) g, Moisture (3) % Max/ (3) g, Fiber (3) % M
```

Key for Generic Pet Nutrition Facts Box.

Note: Letters below correspond to white letters in black circles conveniently located on the facts box examples above.

- **(A)** Familiar common measurement, for example 1 can, 1 tray, 1 pouch, 1 unit of product (treat, piece, etc.), 1 cup, 1 teaspoon.
- **(B)** If unit cited in A needs explanation, provide within the parentheses, for example: "1 cup (8 oz. Standard Measuring Cup)" or "1 fl. oz. = 28 grams". If no explanation is needed, this element is not required.
- (C) Weight in grams of familiar common measurement cited in A. In cases of non-uniform products that are reported per piece, indicate the average weight and add "(avg)" after the weight.
- (**D**) Insert "calculated" or "fed" within the parentheses as appropriate per PF4(a)(1)(C) i or ii.
- (E) Insert value per PF4(a)(1)(C).
- (F) Insert number of kilocalories contributed by protein as determined by PF4(a)(1)(C).

PF4(a)(1)(C).

(G) Insert number of kilocalories contributed by fat as determined by

303

304

351

352

305 (H) Insert number of kilocalories contributed by carbohydrate as 306 determined by PF4(a)(1)(C). 307 (J) Insert a second row for Fat, with guaranteed maximum amount if 308 required by Regulation PF9. 309 (K) Insert a row following moisture when a guaranteed amount for ash 310 and/or dietary starch and sugars is provided. 311 (L) Insert row(s) for other required or voluntary guarantees listed as 312 essential nutrients under a double bolded line per PF4(a)(2)(D). 313 (M) Insert rows for voluntary guarantees for non-essential nutrients per 314 PF4(a)(2)(D). 315 (N) This disclaimer is only required when guaranteed amounts for non-316 essential nutrients are included per PF4(a)(2)(C) or (D). 317 (P) Insert "Cat" or "Dog" as appropriate to intended use of product. 318 (Q) Insert appropriate guaranteed amounts as specified in PF4(a)(2)(A) i 319 320 (**R**) For small packages only, insert appropriate value determined by 321 multiplying the decimal equivalent of guaranteed amount by the total 322 weight contained in A (ie for a guaranteed amount of 23% and a weight 323 in grams in A of 30, move the decimal on the percent value two places to 324 the left (0.23) and multiply by the weight of the familiar common 325 measurement (30) to get a 6.9 value for R). 326 (S) Insert appropriate value determined by multiplying the decimal 327 equivalent of guaranteed amount by the value cited in C. (ie for a 328 guaranteed amount of 23% and a weight in grams in C of 90, move the 329 decimal on the percent value two places to the left (0.23) and multiply by 330 the weight of the familiar common measurement (90) to get 20.7 value 331 for S). 332 (T) The guaranteed amount shall be listed according to the same units of 333 the nutrients in the AAFCO Dog (or Cat) Food Nutrient Profiles. 334 (U) Calculate value per T. Report in grams for guaranteed amounts that 335 are percentages. When other units are used, report as appropriate (e.g. 336 for a guaranteed amount in IU/kg report in IU, for a guaranteed amount 337 in mg/kg report in mg, etc. 338 (V) The guaranteed amount shall be reported in units consistent with 339 intended use (e.g. percentage, mg/kg, etc.). Guarantees for 340 microorganisms and enzymes shall be stated in the format as stipulated 341 in model reg. 4(g) and 4(h). 342 (W) Calculate value per V. Report in grams for guaranteed amounts that 343 are percentages. When other units are used, report as appropriate (e.g. 344 for a guaranteed amount in IU/kg report in IU, for a guaranteed amount 345 in mg/kg report in mg, etc.). 346 (X) Provide an explanation of enzyme units, if necessary. 347 348 349 (k) Specialty Pet Nutrition Facts Formatting Guide: 350

Minimum requirement for packages with a total printable area greater

than or equal to 12 square inches.

Specialty Pet Nutrition Facts (B) = Og				
<u> </u>		Amount		
Nutrients	Guaranteed Amount	of Nutrient Per 🛕		
Protein	% Min	9 g		
Fat	% Min	⊙ g		
Non Fiber Carbohydrate		⊙ g		
Dietary Fiber		⊙ g		
Moisture		9 g		

Minimum requirement for packages with a total printable area less than 12 square inches (small packages).

```
Specialty Pet Nutrition Facts Per (1) Nutrient Guarantees/Amount per (1): Protein (1) % Min/ (1) g, Fat (10) % Min/ (1) g, Fat (10) % Max/ (1) g, Fiber (10) % Max/ (1) g, Moisture (10) % Max/ (1) g
```

Sample format for packages with a total printable area greater than or equal to 12 square inches with voluntary guaranteed amounts per PF4.

Spe	cialty Pe	t Nutriti		
<u> </u>	lutrients	Guaranteed Amount	Amount of Nutrient Per	
	Protein Fat	% Min % Min	9 g	
	Fat ber Carbohydrate	Max Max Max	9 g 9 g	
	tary Fiber Moisture	% Max % Max	9 g 9 g	
<u> </u>	Ash	% Max (Min or Max)	O	
*Not recognized as an essential nutrient by the AAFCO (P) Food Nutrient Profiles. [Explanation of enzyme units]				

Sample format for packages with a total printable area less than 12 square inches with voluntary guaranteed amounts per PF4.

Key for Generic Specialty Pet Nutrition Facts Box. Note: Letters below correspond to white letters in black circles conveniently located on the facts box examples above.

(A) Familiar common measurement, for example 1 can, 1 tray, 1 pouch,

372 1 unit of product (treat, piece, etc.), 1 cup, 1 teaspoon. 373 (B) If unit cited in A needs explanation, provide within the parentheses. 374 for example: "1 cup (8 oz. Standard Measuring Cup)" or "1 fl. oz. = 28 375 grams". If no explanation is needed, this element is not required. 376 (C) Weight in grams of familiar common measurement cited in A. In 377 cases of non-uniform products that are reported per piece, indicate the 378 average weight and add "(avg)" after the weight. 379 (K) Insert a row following moisture when a guaranteed amount for ash is 380 provided. 381 (L) Insert row(s) for other required or voluntary guarantees listed as 382 essential nutrients under a double bolded line per PF4(b)(1)(C) 383 (Q) Insert appropriate guaranteed amounts as specified in PF4(b)(1)(A) i 384 - v. 385 (R) For small packages only, insert appropriate value determined by 386 multiplying the decimal equivalent of guaranteed amount by the total 387 weight contained in A (ie for a guaranteed amount of 23% and a weight 388 in grams in A of 30, move the decimal on the percent value two places to 389 the left (0.23) and multiply by the weight of the familiar common 390 measurement (30) to get a 6.9 value for R). 391 (S) Insert appropriate value determined by multiplying the decimal 392 equivalent of guaranteed amount by the value cited in C. (ie for a 393 guaranteed amount of 23% and a weight in grams in C of 90, move the 394 decimal on the percent value two places to the left (0.23) and multiply by 395 the weight of the familiar common measurement (90) to get 20.7 value 396 397 (T) The guaranteed amount shall be listed according to the same units of 398 the nutrients required in PF(b)(1)(C). 399 (U) Calculate value per T. Report in grams for guaranteed amounts that 400 are percentages. When other units are used, report as appropriate (e.g. 401 for a guaranteed amount in IU/kg report in IU, for a guaranteed amount 402 in mg/kg report in mg, etc. 403 (V) The guaranteed amount shall be reported in units consistent with 404 intended use (e.g. percentage, mg/kg, etc.). Guarantees for 405 microorganisms and enzymes shall be stated in the format as stipulated 406 in model reg. 4(g) and 4(h). 407 (W) Calculate value per V. Report in grams for guaranteed amounts that 408 are percentages. When other units are used, report as appropriate (e.g. 409 for a guaranteed amount in IU/kg report in IU, for a guaranteed amount 410 in mg/kg report in mg, etc.). 411 (X) Provide an explanation of enzyme units, if necessary. 412 413 414

415 416

371