

**Model Bills and Regulations Committee Report**  
**2023 AAFCO Annual Meeting**  
**Aug. 1, 2023 – Baltimore**

**Committee Recommendations:**

1. The AAFCO Board of Directors should direct the Ingredient Definition Committee to consider developing official feed terms for “ash”, “acid insoluble ash”, “air ashed” and “sulfated ash”. If and when such official feed terms are accepted in the OP, SUIP #4 Ash and nutrient elements are not analytically equivalent should be deleted. (MBRC to give this directly to IDC)
2. Given that registration and labeling of silage additives is covered on page 113 of the 2022 OP under the definition of commercial feed in Section 3(b) of the Model Bill, SUIP #5 Registration and Labeling of Silage Additive Products should be deleted.
3. Revise Section 3(b) of the Model Bill as follows for clarity –  
Section 3(b) The term “commercial feed” means all materials or combination of materials which are distributed or intended for distribution for use as feed or for mixing in feed, unless such materials are specifically exempted.
  - i. Unmixed whole seeds and physically altered entire unmixed seeds, when such whole or physically altered seeds are not chemically changed or are not adulterated within the meaning of Section 7(a) of this Act, are exempt.
  - ii. The \_\_\_\_\_ by rule may exempt from this definition, or from specific provisions of this Act, commodities such as hay, straw, stover, silage, cobs, husks, hulls, and individual chemical compounds or substances when such commodities, compounds or substances are not inter-mixed with other materials, and are not adulterated within the meaning of Section 7(a) of this Act.
4. The AAFCO Board of Directors should direct the Ingredient Definition Committee to review historical information for evaluation of Spent Bleaching Clay as a possible official feed term or for inclusion under an existing oilseed definition or as a new feed definition. SUIP #6 Spent Bleaching Clay (SBC) should be retained in the OP at least until the Ingredient Definition Committee completes its review and makes a recommendation. (MBRC to give this directly to IDC)
5. The AAFCO Board of Directors should direct the Ingredient Definition Committee to consider establishing a feed term for “rawhide.” SUIP #7 Chews, Bones, and Toys for Pets and Specialty Pets currently states that “rawhide generally refers only to beef, and many of these chews use other types of animal skins or hides.” (MBRC to give this directly to IDC)

## **Board Recommendations:**

## **Association Actions:**

## **Committee Report and Minutes:**

Model Bills and Regulations Committee Chairman Doug Lueders called the meeting to order at 10:45 a.m. on Aug. 1, 2023.

Committee members participating in the meeting were: Ken Bowers (Kansas), Eric Brady (Tennessee), Patrick Clouser (FDA), George Ferguson (North Carolina), Kristen Green (Kentucky), Dave Husner (Pennsylvania), Darrell Johnson (Kentucky), Tim Tyson (FDA) and Scott Ziehr (Colorado).

Attending virtually: Dan King – Vice-Chair (Minnesota), Ben Jones (Texas), and Eric Nelson (FDA).

Industry advisers participating were Dave Dzanis and Renee Streeter (ACVN), Meghan Dicks and Steve Younker (AFIA), Bill Bookout (APPA), Emily Helmes (ETA), Jan Campbell and David Fairfield (NGFA), Angele Thompson and Pat Tovey (PFI), Cathy Alinovi (NGPFMA), Aaron Hobbs (NACIA) and Katie Vassalli (NOPA).

## **Minutes from Previous Committee Meetings**

Chairman Lueders noted that minutes from the committee's Jan. 18, 2023 meeting and Pet Food Label Modernization review meetings on March 29 and April 3, 2023 were previously approved, posted on the AAFCO website, in the Feed BIN, and included within the 2023 AAFCO Annual Meeting Committee Report Book.

## **Labeling Work Group Update**

Mr. Brady informed the committee that the AAFCO Board of Directors directed the Feed Labeling Committee and Pet Food Committee to establish work groups to review and provide recommendations on the revised definition for "labeling" previously approved by the Model Bills and Regulations Committee during the 2023 AAFCO Midyear Meeting. The Feed Labeling Committee and the Pet Food Committee each will provide a formal recommendation back to the Board of Directors. Once the Board of Directors gets a consensus recommendation back from the respective committees, it will be sent to the MBRC for review.

## **SUIP Biennial Work Group Report**

SUIP Work Group Chair Ms. Alinovi reviewed the Work Group's report:

**SUIP #4 Ash and nutrient elements are not analytically equivalent.**

*Work Group Recommendation:* The Ingredient Definition Committee should consider developing official feed terms for “ash”, “acid insoluble ash”, “air ashed” and “sulfated ash”. After official feed terms for ash are accepted in the OP, SUIP #4 should be deleted. Mr. Ferguson moved to accept the recommendations. Mr. Husner seconded. Motion carried on a voice vote.

### **SUIP #5 Registration and Labeling of Silage Additive Products.**

*Work Group Recommendation:* Given that registration and labeling of silage additives is covered on page 113 of the 2022 OP under the definition of commercial feed in Section 3(b) of the Model Bill, SUIP #5 should be deleted. Mr. Ferguson moved to accept the recommendation. Mr. Ziehr seconded. Motion carried on a voice vote.

*Work Group Recommendation:* Revise Section 3(b) of the Model Bill as follows for clarity –

Section 3(b) The term “commercial feed” means all materials or combination of materials which are distributed or intended for distribution for use as feed or for mixing in feed, unless such materials are specifically exempted.

- iii. Unmixed whole seeds and physically altered entire unmixed seeds, when such whole or physically altered seeds are not chemically changed or are not adulterated within the meaning of Section 7(a) of this Act, are exempt.
- iv. The \_\_\_\_\_ by rule may exempt from this definition, or from specific provisions of this Act, commodities such as hay, straw, stover, silage, cobs, husks, hulls, and individual chemical compounds or substances when such commodities, compounds or substances are not inter-mixed with other materials, and are not adulterated within the meaning of Section 7(a) of this Act.

Mr. Husner moved to accept the recommendation. Mr. Ferguson seconded. Motion carried on a voice vote.

### **SUIP #6 Spent Bleaching Clay (SBC).**

*Work Group Recommendation:* The Ingredient Definition Committee should review historical information for evaluation of SBC as a possible official feed term or for inclusion under an existing oilseed definition or as a new feed definition. SUIP #6 should be retained in the OP at least until the Ingredient Definition Committee completes its review and makes a recommendation. Mr. Husner moved to accept the recommendation. Mr. King seconded. Motion carried on a voice vote.

### **SUIP #7 Chews, Bones, and Toys for Pets and Specialty Pets.**

*Work Group Recommendation:* Incorporate the SUIP into Section 3(b) of the Model Bill by adding a new section iii as follows:

iii. All chews, bones, toys and exercisers made of animal skin, hide, wood, or man-made (synthetic) material for Pets and Specialty Pets, whether flavor-coated or unflavored, – Hooves, Ears , Animal Bones, Ligaments, Snouts, Pizzles – unless the manufacturer, in its product labeling or advertising, makes any claim that the product is intended for use as an animal food, or that the product provides anything of nutritional value to the animal (i.e., “digestible“ or “high-protein“).

No member moved to accept the recommendation.

*Work Group Recommendation:* The Ingredient Definition Committee should consider establishing a feed term for “rawhide.” SUIP #7 currently states that “rawhide generally refers only to beef, and many of these chews use other types of animal skins or hides.”

Mr. King moved to accept the recommendation. Mr. Johnson seconded. Motion carried on a voice vote.

*Work Group Recommendation:* Delete the Labeling Note within the SUIP referencing CFR requirements.

After committee discussion, the recommendation was withdrawn.

*Work Group Recommendation:* Add the word “synthetic” in parentheses after “man-made” for clarification in proposed Section 3(b)(iii).

After committee discussion, the recommendation was withdrawn.

Due to time constraints, Chairman Lueders stated the balance of the SUIP Work Group recommendations would be considered at a later date by the committee.

### **Feed Labeling Committee Proposed Modifications of Poultry Feed Guarantees**

Due to time constraints, Chairman Lueders stated the proposed modifications of poultry feed guarantees would be considered at a later date by the committee.

### **Pet Food/Feed Cottage Food Exemption**

Due to time constraints, Chairman Lueders stated the topic of pet food/feed cottage food exemptions would be considered at a later date by the committee.

### **Adjournment**

Chairman Lueders adjourned the meeting at approximately 11:50 a.m.

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