

Model Bills and Regulations Committee

2024 AAFCO Midyear Meeting
Chattanooga Convention Center
Chattanooga, Tennessee
Wednesday, January 24, 2024
10:45–11:45 am EST

Agenda

- 1) SUIP 7- Chews, Bones, & Toys-Cathy Alinovi (Attachment A)
- 2) SUIP 8- Live Plants
- 3) SUIP 9- Insects
- 4) Proposed Modification of Poultry Feed Guarantees-David Husner
- 5) Lot Identifiers on Feed Labels-David Husner (Attachment B)
- 6) Pet Food/Feed Cottage Food Exemption-Dan King

Attachment A

SUIP Suggestions, December 14, 2023

Progression of Proposed Modifications to the Commercial Feed Act, 3(b)

Original as of January 2023 OP, p. 107:

When used in this Act:...

- (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. 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. 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.

Revision for Clarity (Recommendation #3, August 1 2023, by MBRC to BoD):

When used in this Act: ...

- (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.

Current SUIP 7 (2023 AAFCO OP, p. 237-8):

7. **Chews, Bones, and Toys for Pets and Specialty Pets** - The following products, whether flavor-coated or unflavored, shall be exempt from registration and labeling, 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”).
(Adopted 1989, Amended 1996, 2001, 2004, 2007, 2008)

NOTE: Labeling information required by the Code of Federal Regulations are applicable to the labeling of all these products:

- All chews, bones, toys and exercisers made of animal skin, hide, wood, or man-made material
- Hooves
- Ears
- Animal Bones
- Ligaments
- Snouts
- Pizzles

Rawhide generally refers only to beef, and many of these chews use other types of animal skins or hides.

New Proposal to MBRC from SUIP WG: Incorporate SUIP 7 (January 2024):

When used in this Act: ...

- (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.
 - iii. All chews, bones, toys and exercisers made of animal skin, hide, wood, or man-made 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”).

NOTE: Labeling information required by the Code of Federal Regulations are applicable to the labeling of all of these products

Additional SUIP WG Recommendations on SUIP 7:

The WG recommends deletion of Labeling Note regarding CFR – as this is understood throughout the regulated industry

The WG proposes the addition of word “synthetic” after man-made for clarification in 3.(b) part iii.

Attachment B

Labeling Committee—Unique Identifiers on Feed Labels

Recommendation #1:

Add lot identifiers definition to model bill Section 3. Definitions of Words and Terms

"Lot identifier" means a unique identifier, such as a run number, code, date, or other suitable identification for each batch or production run that enables the manufacturer to accurately trace the manufacturing and distribution history of a product. To facilitate tracing of packaged products, lot identifiers can be applied to the label, container, or package. For bulk products, lot identifiers can be applied to the label, invoice, or other documents accompanying the product.

Add below language to Section 5. Labeling of Model Bill

- (a) In case of a commercial feed, exempt a customer-formula feed, it shall be accompanied by a label bearing the following information.
- (8) A lot identifier.
- (b) In the Case of a customer-formula feed, it shall be accompanied by a label, invoice, delivery slip, or other shipping document, bearing the following information:
- (8) A lot identifier.

Add below language to Regulation 2. Label Format of Model Regulations

- (e) A lot identifier

Recommendation #2:

Move to insert Section 15. Recordkeeping Requirements in the Model Bill and move the current Sections 15-19 to follow Section 15. Recordkeeping Requirements in Sequential order

Section 15. Recordkeeping Requirements

- a) Records shall be maintained and be adequate to facilitate a recall of a specific batch or production run of commercial feed product that has been distributed.
- b) Records relating the lot identifier to the manufacture and distribution of the commercial feed product must be kept for one year after the last date of distribution.

Recommendation #3:

Move to insert Regulation 11. Recordkeeping Requirements in the Model Bill and move the current Regulation 11-13 to follow Regulation 11. Recordkeeping Requirements in Sequential order

Regulation 11. Recordkeeping Requirements for Manufacturing

- (a) For each commercial feed distributed, complete records shall be maintained in a manner that will facilitate the recall, diversion, or destruction of the commercial feed, if necessary. Such records shall be maintained for at least one year after the date of distribution by the manufacturer and shall include the following;
 - 1. Date of manufacture.
 - 2. Lot identifier.
 - 3. Date and quantity distributed.
- (b) Records required under this section shall:
 - 1. Be kept as original records, true copies, or electronic records.
 - 2. Be accurate, indelible, and legible.
 - 3. Be created concurrently with the performance of the activity documented.
 - 4. Be as detailed as necessary to history of work performed.