



AAFCO

Association of American Feed Control Officials

Presented by

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Executive Director

Human food has no equivalent to AAFCO.

AAFCO does nothing in the regulation of human food.

- 21 CFR 501 governs animal food including pet food
- MOU with FDA CVM defines AAFCO's and FDA's roles in the development of ingredient definitions and feed terms

To the Animal Feed industry, Pet Treats are a Feed Term

FDA and AAFCO are now collaborating on the development of a Feed Term for Pet Treats.

This proposed Feed Term will be discuss at the AAFCO Midyear Meeting next week in Savannah GA

AAFCO requests Pre-Emption

- 21 CFR 501.8, SUBPART A
- “Sec. 501.8 Labeling of animal food with number of servings.
- **(a) The label of any package of a food which bears a representation as to the number of servings contained in such package shall bear in immediate conjunction with such statement, and in the same size type as is used for such statement, a statement of the net quantity (in terms of weight, measure, or numerical count) of each such serving;** however, such statement may be expressed in terms that differ from the terms used in the required statement of net quantity of contents (for example, cupsful, tablespoonfuls, etc.) when such differing term is common to cookery and describes a constant quantity. Such statement may not be misleading in any particular. A statement of the number of units in a package is not in itself a statement of the number of servings.
- (b) If there exists a voluntary product standard promulgated pursuant to the procedures found in 15 CFR part 10 by the Department of Commerce, quantitatively defining the meaning of the term serving with respect to a particular food, then any label representation as to the number of servings in such packaged food shall correspond with such quantitative definition.”

\$6.4 billion dollar US pet treat business relies on 21 CFR 501.8 Subpart A

- Federal law takes precedence in interstate commerce.
- Federal law is the basis for smooth flow of interstate commerce in animal feed.
- Businesses rely on federal law for the laws and regulations for interstate commerce.

Outcomes

Current situation:

- Uniformity in the marketplace – we already have net weight on packages per 21 CFR 501.8.
- Relying on 21 CFR 501.8 allows consumers to make informed decisions – removing quantity on pet treats will result in misinformation to consumers

Maintaining NIST 2.37 will result in:

- Inaccurate and inadequate quantity information
- Remove the information that consumers rely on when purchasing pet treat products.

Recommendation

- Strike 2.37 language as published in NIST Handbook 130 for 2019 in its entirety
- Replace with AAFCO feed term for pet treats when available
- Will satisfy 21 CFR 501.8 Subpart A
- Maintain uniformity in interstate commerce

Thank you!

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