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July 23, 2021

Chad Linton
West Virginia Department of Agriculture
1900 Kanawha Boulevard
East State Capitol, Room E-28
Charleston, WV 25305-0170

RE: West Virginia Commercial Feed Regulation Amendments #61-05

Dear Mr. Linton:

The Pet Industry Joint Advisory Council (PIJAC), on behalf of our members, submits these comments for the record regarding the proposed changes to the state's commercial feed regulations #61-05. PIJAC supports the Department in distinguishing the differences between pet food and specialty pet food products from general commercial feed by separating these provisions in Section 5.4 of the proposed rules. Separating pet food registration from commercial feed will provide transparency and modernization with respect to the unique dietary needs of cats and dogs.

While we appreciate the intent of the spay neuter program, fee revenues used for purposes other than the registration of pet food products are inherently hidden taxes on pet food makers. PIJAC opposes taxes imposed on pet food registration that do not satisfy that purpose. Solely taxing pet food makers through pet food registration fees to fund the state's spay and neuter program is exactly that, a hidden tax.

Effective policy solutions bring all stakeholders to the table to discuss solutions to address an issue, rather than targeting and unfairly taxing one industry for programs and services that have no impact on pet food. We urge the Department to develop a study committee including stakeholders to develop a comprehensive spay and neuter program.

While the pet food registration fee may seem small when viewed in isolation, it will actually have significant implications on manufacturers. The fact that there are often multiple protein formula variations (salmon, chicken, beef, lamb) as well as diets specifically formulated for different stages of life (puppy, kitten, adult, senior, large breed, small breed). The current registration fee, coupled with the additional \$50 per product tax to fund the spay and neuter program, could result in a single product paying at least \$1,200 in taxes.

Thank you for the opportunity to share our views. I would be happy to discuss the issue in further detail.

Robert Likins
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