TITLE 61
LEGISLATIVE RULES
DEPARTMENT OF AGRICULTURE

SERIES 5
WEST VIRGINIA COMMERCIAL FEED LAW REGULATIONS

§61-5-1. General.

1.1. Scope. -- These legislative regulations provide for cancellation of registration, define deleterious and adulterating materials, related to brands and labeling, drug and vitamin content, sampling and analysis, adopt Association of American Feed Control Officials terminology, provide for alternative listing of ingredients, mineral content, nonprotein nitrogen requirements, misbranding and supersedure.

1.2. Authority. -- W. Va. Code §19-14

1.3. Filing Date. -- June 1, 1976

1.4. Effective Date. -- July 1, 1976

§61-5-2. Revocation or cancellation of registration.

2.1. Registration of commercial feeds sold in bulk or packages larger than ten (10) pounds shall be permanent unless:

2.1.1. Canceled by registrant;

2.1.2. No sales reported by the registrant during a twelve (12) consecutive months period; or

2.1.3. Revoked or canceled by the Commissioner for cause.

§61-5-3. Adulterating or deleterious materials.

3.1. The following are determined to be adulterants or deleterious and are prohibited.

3.1.1. More than eight percent (8%) crude fiber in poultry feeds. (This does not apply to supplemental poultry feeds or to feeds designed to suppress sexual development in pullets when so labeled.)

3.1.2. More than five percent (5%) crude fiber in scratch feeds.

3.1.3. More than twelve percent (12%) crude fiber in horse feed intended to be fed with hay or pasture. (A complete horse feed may contain up to twenty-five percent (25%) crude fiber when so labeled with proper feeding instructions.)

3.1.4. More than eight percent (8%) crude fiber in swine feed. (This does not apply to feed for gestating sows which may contain sixteen percent (16%) crude fiber or to swine supplements containing more than thirty-two percent (32%) protein.)

3.1.5. More than five hundred (500) whole weed seeds per pound.

3.1.6. A pet food when its composition does not conform to the Official Pet Food Regulations of the Association of American Feed Control Officials, Incorporated.

§61-5-4. Brand and product names.

4.1. The brand or product name must not be misleading. If the name indicates the feed is made for a specific use, the character of the feed must conform therewith. A mixture labeled "dairy feed," for example, must be suitable for that purpose.

4.2. Single ingredient feeds shall have a product name in accordance with the designated definitions of feed ingredients as recognized by the Association of American Feed Control Officials unless the Commissioner designates otherwise.

4.3. A name of a commercial feed shall not be derived from one or more ingredients of a mixture at the exclusion of other ingredients and shall not be one representing any component of a mixture unless all components are included in the name. Pet foods shall comply with AAFCO guidelines.

4.4. The word vitamin, or a contraction thereof, or any word suggesting vitamin can be used only in the name of a feed which is represented to be a vitamin supplement, and which is labeled with the minimum content of each vitamin declared, as specified in Section 5.3 of these rules.

4.5. The term "Mineralized" shall not be used in the name of a feed except "Trace Mineralized Salt." When so used, the product must contain significant amounts of trace minerals which are recognized as essential for animal nutrition.

4.6. The term "Meat" and "Meat By-Product" when applied to the corresponding portions of the animals other than cattle, swine, sheep and goats shall be used in qualified form as, for example, "Horse Meat By-Product," "Reindeer Meat By-Product," etc.

§61-5-5. Expression of guarantees.

5.1. The sliding-scale method of expressing guarantees (for example, "Protein 15-18%") is prohibited, except as specifically provided by the law or by regulation.

5.2. Drugs in commercial feeds shall be guaranteed in terms of percentage by weight, except antibiotics, which shall be expressed in grams per pound on feeds containing more than two thousand (2,000)(total) of antibiotics per ton. All products containing less than two thousand (2,000) units of antibiotics per ton shall be expressed in grams per ton. The term "milligrams per pound" will be permitted on the label only in cases where dosage is given as "milligrams per day" in the feeding directions: Provided, That labels for commercial feeds containing growth promotion and/or feed efficiency levels of antibiotics which are to be fed continuously as the sole ration are not required to make quantitative guarantees unless required by the United States Food and Drug Administration.

5.3. Guarantees of minimum vitamin content of feeds and feed supplements shall be stated in units or milligrams per pound as provided herein: Vitamin E in USP or International Units, Vitamin A other than precursors of Vitamin A, in USP Units, Vitamin D in products offered for poultry feeding in International Chick Units, Vitamin D for other uses in USP Units, all other vitamins as true vitamins, not compounds, excepting only pyridoxine hydrochloride, choline chloride, and thiamine; oils and concentrates containing Vitamin A or Vitamin D or both may be additionally labeled to show vitamin content in units per gram; and providing the term "d-pantothenic acid" be used in stating the pantothenic acid guarantee.

5.4. Commercial feeds containing fifty-five percent (55%) or more mineral ingredients, shall include in the guaranteed analysis the minimum and maximum percentrages of calcium (Ca) and salt (NaCl) and the minimum percentages of phosphorus (P) and iodine (I), if added, minerals, except salt (NaCl), when quantitatively guaranteed, shall be stated in terms of percentage of the element.

5.5. Products which need not be labeled to show guarantees for crude protein, crude fat and crude fiber are:

5.5.1. Products distributed solely as mineral and/or vitamin supplements.

5.5.2. Molasses.

5.5.3. Drugs.

§61-5-6. Definitions, sampling and analysis.

6.1. Except as the Commissioner designates otherwise in specific cases, the name and definitions for commercial feeds and methods of sampling shall be those adopted by the Association of American Feed Control Officials, and the methods of analysis shall be the official methods of the Association of Official Analytical Chemists.

§61-5-7. Ingredient statement.

7.1. Each ingredient must be specifically named. The names and definitions adopted by the Association of American Feed Control Officials are to be used as the common or usual names unless the Commissioner designates otherwise.

7.2. When water is added in the preparation of canned food for animals, water must be listed as an ingredient.

7.3. The term "dehydrated" may precede the name

of any product that has been artifically dried.

7.4. No reference to quality or grade of any ingredient shall appear in the ingredient statement of a feed.

7.5. Alternative listing of ingredients within the following groups may be shown on the registration certificate:

7.5.1. Corn, hominy feed, wheat, barley and grain sorghums (as presently accepted).

7.5.2. Cottonseed meal, soybean meal, peanut meal, linseed meal and corn gluten meal.

7.5.3. Fish meal, meat and bone meal, meat meal tankage and poultry by-product meal.

7.5.4. Beet molasses, corn sugar molasses, citrus molasses and cane molasses.

7.5.5. Wheat bran, wheat mill run and wheat middlings.

7.5.6. Wheat shorts, wheat red dog, corn germ meal, corn gluten feed and grain sorghum gluted feed.

§61-5-8. Labeling.

8.1. The information required in subsection 5 (a), section five, article fourteen, chapter nineteen of the West Virginia Code, must appear in its entirety on one side of the label or on one side of the container; this information shall not be subordinated or obscured by other statements and designs.

8.2. The names of all ingredients must be shown in letters or type of the same size.

§61-5-9. Minerals.

9.1. When the word "iodized" is used in connection with a feed ingredient, the ingredient shall not contain less than 0.007 percent iodine, uniformly distributed.

9.2. Mineral phosphatic materials for feeding purposes shall be labeled with a guarantee for the minimum percentages of calcium and phosphorus, and the maximum percentage of fluorine.

9.3. The fluorine content of any mineral or mineral mixture which is to be used directly for the feeding of domestic animals shall not exceed 0.30 percent for cattle; 0.35 percent for sheep; 0.45 percent for swine; and 0.60 percent for poultry. Soft rock phosphate, rock phosphate or other fluorine-bearing ingredients may be used only in such amounts that they will not raise the fluorine concentration of the total (grain) ration above the following amounts: 0.009 percent for cattle; 0.01 percent for sheep; 0.014 percent for swine; and 0.035 percent for poultry.

§61-5-10. Nonprotein nitrogen products.

10.1. Urea and other nonprotein nitrogen products defined in the Official Publication of the Association of American Feed Control Officials are acceptable ingredients in commercial feeds for ruminant animals as a source of equivalent crude protein. If the commercial feed contains more than 8.75 percent of equivalent crude protein from all forms of nonprotein nitrogen, added as such, or the equivalent crude protein from all forms of protein, the label shall bear adequate directions for the safe use of feeds and a precautionary statement: "CAUTION: USE AS DIRECTED." The directions for use and the caution statement shall be in type of such size so placed on the label that they will be read and understood by ordinary persons under customary conditions of purchase and use.

10.2. Nonprotein nitrogen products defined in the AAFCO Official Publication, when so indicated, are acceptable ingredients in commercial feeds distributed to nonruminant animals as a source of nutrients other than equivalent crude protein. The maximum equivalent crude protein from nonprotein nitrogen sources when used in nonruminant rations shall not exceed 1.25 percent of the total daily ration.

10.3. Commercial feeds containing any added nonprotein nitrogen shall be labeled as follows:

10.3.1. For ruminants:

10.3.1.1. Complete feeds, supplements and concentrates containing added nonprotein nitrogen and containing more than five percent (5%) protein from natural sources shall be guaranteed as follows:

Crude Protein, minimum, _____% (This includes not more than _____% equivalent protein from nonprotein

nitrogen).

10.3.1.2. Mixed feed concentrates and supplements containing less than five percent (5%) protein from natural sources may be guaranteed as follows:

Equivalent Crude Protein form Nonprotein Nitrogen, minimum _____%.

10.3.1.3. Ingredient sources of nonprotein nitrogen such as Urea, Di-Ammonium Phosphate, Ammonium Polyphosphate Solution, Ammoniated Rice Hulls or other basic nonprotein nitrogen ingredients defined by the Association of American Feed Control Officials shall be guaranteed as follows:

Nitrogen, minimum, _____%
Equivalent Crude Protein from Nonprotein Nitrogen, minimum, _____%

10.3.2. For nonruminants:

10.3.2.1. Complete feeds, supplements and concentrates containing crude protein from all forms of nonprotein nitrogen, added as such, shall be labeled as follows:

Crude Protein, minimum, _____%
(This includes not more than _____% equivalent crude protein which is not nutritionally available to species of animals for which feed is intented.)

10.2.2.2. Premixes, concentrates or supplements intended for nonruminants containing more than 1.25 percent equivalent crude protein from all forms of nonprotein nitrogen, added as such, must contain adequate directions for use and a prominent statement: "WARNING: This feed must be used only in accordance with directions furnished on the label.

§61-5-11. Misbranding.

11.1. A pet food shall be considered as a misbranded when its labeling does not conform to the label format and requirements approved by the Pet Food Committee of the Association of American Feed Control Officials, Inc., or when any nutritional claim or value is made which is not supported by the Committee on Animal Nutrition of the National Research Council of the National Academy of Sciences or other nutritional authority recognized by the Commissioner.

11.2. Any commercial feed shall be considered as misbranded if it contains a drug or medication not approved by the Food and Drug Administration under Title 21, Code of Federal Regulations or if its labeling does not contain adequate warning, use and withdrawal statements for that particular drug or medication.

11.3. Any commercial feed shall be considered as a misbranded if an artificial color has been used to enhance the natural color of a feed or feed ingredient whereby inferiority or nutritive value would be concealed or if any coloring agent has been used which has not been shown to be harmless to animals.

STATE OF WEST VIRGINIA

DEPARTMENT OF AGRICULTURE

CHARLESTON
25305

Gus R. Douglass
Commissioner

May 13, 1976

Honorable James R. McCartney
West Virginia Secretary of State
Capitol Building
Charleston, West Virginia 25305

Dear Secretary McCartney:

Enclosed please find two (2) copies of Administrative Regulations promulgated by me pertaining to the West Virginia Commercial Feed Law. These Regulations are designated Series V of Chapter 19-2 of the West Virginia Administrative Regulations.

I hereby certify that the enclosed regulations are true and accurate copies of official regulations adopted by me on June 1, 1976.

Sincerely yours,

Gus R. Douglass
Agriculture Commissioner

D/J/s

Enclosure

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE MAY 28 1976

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
State Department of Agriculture
Chapter 19-2
Series ~~VIII~~ IV
1976

SUBJECT: WEST VIRGINIA COMMERCIAL FEED LAW REGULATIONS (Article 14)

Section 1.00 GENERAL.

1.01 Scope. These regulations provide for cancellation of registration, define deleterious and adulterating materials, relate to brands and labeling, drug and vitamin content, sampling and analysis, adopt Association of American Feed Control Officials terminology, provide for alternative listing of ingredients, mineral content, non-protein nitrogen requirements, misbranding and supersedure.

1.02 Authority. Chapter 19, Article 14, Code of West Virginia, as amended.

1.03 Effective Date. These regulations were adopted June 1, 1976 and become effective July 1, 1976.

1.04 Filing Date. These regulations were filed in the Office of the West Virginia Secretary of State on June 1, 1976.

1.05 Certification. These regulations were certified authentic by the Secretary of State by Certification Number 33.

Section 2.00 INDEX.

Section 3.00 REVOCATION OR CANCELLATION OF REGISTRATION.

3.01 Registration of commercial feeds sold in bulk or packages larger than ten pounds shall be permanent unless:

(1) Cancelled by registrant;

(2) No sales reported by the registrant during a twelve consecutive month period;

(3) Revoked or cancelled by the Commissioner for cause.

Section 4.00 ADULTERATING OR DELETERIOUS MATERIALS.

4.01 The following are determined to be adulterants or deleterious and are prohibited:

(1) More than 8.00% crude fiber in poultry foods. (This does not apply to supplemental poultry feeds or to feeds designed to suppress sexual development in pullets when so labeled.)

(2) More than 5.00% crude fiber in scratch feeds.

(3) More than 12.00% crude fiber in horse feed intended to be fed with hay or pasture. (A complete horse feed may contain up to 25.00% crude fiber when so labeled with proper feeding instructions.)

(4) More than 8.00% crude fiber in swine feed. (This does not apply to feed for gestating sows which may contain 16.00% crude fiber or to swine supplements containing more than 32.00% protein.)

(5) More than 500 whole weed seeds per pound.

(6) A pet food when its composition does not conform to the Official Pet Food Regulations of the Association of American Feed Control Officials, Inc.

Section 5.00 BRAND AND PRODUCT NAMES.

(1) The brand or product name must not be misleading. If the name indicates the feed is made for a specific use, the character of the feed must conform therewith. A mixture labeled "dairy feed", for example, must be suitable for that purpose.

(2) Single ingredient feeds shall have a product name in accordance with the designated definitions of feed ingredients as recognized by the Association of American Feed Control Officials unless the Commissioner designates otherwise.

(3) A name of a commercial feed shall not be derived from one or more ingredients of a mixture at the exclusion of other ingredients and shall not be one representing any component of a mixture unless all components are included in the name. Pet foods shall comply with AAFCO Guidelines.

(4) The word vitamin, or a contraction thereof, or any word suggesting vitamin can be used only in the name of a feed which is represented to be a vitamin supplement, and which is labeled with the minimum content of each vitamin declared, as specified in Section 6.00 (3).

(5) The term "mineralized" shall not be used in the name of a feed except "Trace Mineralized Salt". When so used, the product must contain significant amounts of trace minerals which are recognized as essentials for animal nutrition.

(6) The term "meat" and "meat by-product" when applied to the corresponding portions of the animals other than cattle, swine, sheep and goats shall be used in qualified form as, for example, "horse meat by-product", "reindeer meat by-product", etc.

Section 6.00 EXPRESSION OF GUARANTEES.

(1) The sliding-scale method of expressing guarantees (for example, "Protein 15-18%") is prohibited, except as specifically provided by the law or by regulation.

(2) Drugs in commercial feeds shall be guaranteed in terms of percentage by weight, except antibiotics, which shall be expressed in grams per pound on feeds containing more than 2,000 grams (total) of antibiotics per ton. All products containing less than 2,000 units of antibiotics per ton shall be expressed in grams per ton. The term "milligrams per pound" will be permitted on the label only in cases where dosage is given as "milligrams per day" in the feeding directions, provided, that labels for commercial feeds containing growth promotion and/or feed efficiency levels of antibiotics which are to be fed continuously as the sole ration are not required to make quantitative guarantees unless required by the U. S. Food and Drug Administration.

(3) Guarantees of minimum vitamin content of feeds and feed supplements shall be stated in units or milligrams per pound as provided herein: vitamin E in USP or International Units, vitamin A other than precursors of vitamin A, in USP Units, vitamin D in products offered for poultry feeding in International Chick Units, vitamin D for other uses in USP Units, all other vitamins as true vitamins, not compounds, excepting only pyridoxine hydrochloride, choline chloride, and thiamine; oils and concentrates containing vitamin A or vitamin D or both may be additionally labeled to show vitamin content in units per gram; and providing that the term "d-pantothenic acid" be used in stating the pantothenic acid guarantee.

(4) Commercial feeds containing 5% or more mineral ingredients, shall include in the guaranteed analysis the minimum and maximum percentages of calcium (Ca) and salt (NaCl) and the minimum percentages of phosphorus (P) and iodine (I), if added. Minerals, except salt (NaCl), when quantitatively guaranteed, shall be stated in terms of percentage of the element.

(5) Products which need not be labeled to show guarantees for crude protein, crude fat and crude fiber are:

(a) Products distributed solely as mineral and/or vitamin supplements.

(b) Molasses.

(c) Drugs.

Section 7.00 DEFINITIONS, SAMPLING AND ANALYSIS.

(1) Except as the Commissioner designates otherwise in specific cases, the name and definitions for commercial feeds and methods of sampling shall be those adopted by the Association of American Feed Control Officials, and the methods of analysis shall be the official methods of the Association of Official Analytical Chemists.

Section 8.00 INGREDIENT STATEMENT.

(1) Each ingredient must be specifically named. The names and definitions adopted by the Association of American Feed Control Officials are to be used as the common or usual names unless the Commissioner designated otherwise.

(2) When water is added in the preparation of canned foods for animals, water must be listed as an ingredient.

(3) The term "dehydrated" may precede the name of any product that has been artificially dried.

(4) No reference to quality or grade of any ingredient shall appear in the ingredient statement of a feed.

(5) Alternative listing of ingredients within the following groups may be shown on the registration certificate:

(a) Corn, hominy feed, wheat, barley, and grain sorghums (as presently accepted.)

(b) Cottonseed meal, soybean meal, peanut meal, linseed meal and corn gluten meal.

(c) Fish meal, meat and bone meal, meat meal tankage, and poultry by-product meal.

(d) Beet molasses, corn sugar molasses, citrus molasses and cane molasses.

(e) Wheat bran, wheat mill run, and wheat middlings.

(f) Wheat shorts, wheat red dog, corn germ meal, corn gluten feed, and grain sorghum gluted feed.

Section 9.00 LABELING.

(1) The information required in Section 5 (a) of the law must appear in its entirety on one side of the label or on one side of the container; this information shall not be subordinated or obscured by other statements and designs.

(2) The names of all ingredients must be shown in letters or type of the same size.

Section 10.00 MINERALS.

(1) When the word "iodized" is used in connection with a feed ingredient, the ingredient shall not contain less than 0.007% iodine, uniformly distributed.

(2) Mineral phosphatic materials for feeding purposes shall be labeled with a guarantee for the minimum percentages of calcium and phosphorus, and the maximum percentage of fluorine.

(3) The fluorine content of any mineral or mineral mixture which is to be used directly for the feeding of domestic animals shall not exceed 0.30 percent for cattle; 0.35 percent for sheep; 0.45 percent for swine; and 0.60 percent for poultry. Soft rock phosphate, rock phosphate or other

fluorine-bearing ingredients may be used only in such amounts that they will not raise the fluorine concentration of the total (grain) ration above the following amounts: 0.009 percent for cattle; 0.01 percent for sheep; 0.014 percent for swine; and 0.035 percent for poultry.

Section 11.00 NON-PROTEIN NITROGEN PRODUCTS.

11.01 Urea and other non-protein nitrogen products defined in the Official Publication of the Association of American Feed Control Officials are acceptable ingredients in commercial feeds for ruminant animals as a source of equivalent crude protein. If the commercial feed contains more than 8.75% of equivalent crude protein from all forms of non-protein nitrogen, added as such,or the equivalent crude protein from all forms of protein, the label shall bear adequate directions for the safe use of feeds and a precautionary statement: "CAUTION: USE AS DIRECTED". The directions for use and the caution statement shall be in type of such size so placed on the label that they will be read and understood by ordinary persons under customary conditions of purchase and use.

11.02 Non-protein nitrogen products defined in the AAFCO Official Publication, when so indicated, are acceptable ingredients in commercial feeds distributed to non-ruminant animals as a source of nutrients other than equivalent crude protein. The maximum equivalent crude protein from non-protein nitrogen sources when used in non-ruminant rations shall not exceed 1.25% of the total daily ration.

11.03 Commercial feeds containing any added non-protein nitrogen shall be labeled as follows:

(1) For ruminants:

(a) Complete feeds, supplements and concentrates containing added non-protein nitrogen and containing more than 5% protein from natural sources shall be guaranteed as follows:

Crude Protein, minimum, _____%

(This includes not more than _____% equivalent protein from non-protein nitrogen).

(b) Mixed feed concentrates and supplements containing less than 5% protein from natural sources may be guaranteed as follows:

Equivalent Crude Protein from Non-Protein Nitrogen, minimum, _____%

(c) Ingredient sources of non-protein nitrogen such as Urea, Di-Ammonium Phosphate, Ammonium Polyphosphate Solution, Ammoniated Rice Hulls, or other basic non-protein nitrogen ingredients defined by the Association of American Feed Control Officials shall be guaranteed as follows:

Nitrogen, minimum, _____%

Equivalent Crude Protein from Non-Protein Nitrogen, minimum, _____%

(2) For Non-ruminants:

(a) Complete feeds, supplements and concentrates containing crude protein from all forms of non-protein nitrogen, added as such, shall be labeled as follows:

Crude Protein, minimum, _____%

(This includes not more than _____%
equivalent crude protein which is not
nutritionally available to species of
animal for which feed is intended.)

(b) Premixes, concentrates or supplements intended for non-ruminants containing more than 1.25% equivalent crude protein from all forms of non-protein nitrogen, added as such, must contain adequate directions for use and a prominent statement: "WARNING: This feed must be used only in accordance with directions furnished on the label."

Section 12.00 MISBRANDING.

12.01 A pet food shall be considered as misbranded when its labeling does not conform to the label format and requirements approved by the Pet Food Committee of the Association of American Feed Control Officials, Inc., or when any nutritional claim or value is made which is not supported by the Committee on Animal Nutrition of the National Research Council of the National Academy of Sciences or other nutritional authority recognized by the Commissioner.

12.02 Any commercial feed shall be considered as misbranded if it contains a drug or medication not approved by the Food and Drug Administration under Title 21, Code of Federal Regulations or if its labeling does not contain adequate warning, use and withdrawal statements for that particular drug or medication.

12.03 Any commercial feed shall be considered as misbranded if an artificial color has been used to enhance the natural color of a feed or feed ingredient whereby inferiority or nutritive value would be concealed or if any coloring agent has been used which has not been shown to be harmless to animals.

Section 13.00 SUPERSEDURE.

All regulations previously adopted are hereby rescinded.

Gus R. Douglass
Agriculture Commissioner

MAY 28 1976

WEST VIRGINIA LEGISLATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE
Chapter 19-14

GENERAL INDEX

FOR

SERIES V

TITLE: West Virginia Commercial Feed Law Regulations

Title 61

~~WEST VIRGINIA~~ LEGISLATIVE ~~REGULATIONS~~ RULES
STATE DEPARTMENT OF AGRICULTURE
~~Chapter 19-14~~ C
SERIES V C 5

TITLE: West Virginia Commercial Feed Law Regulations

Section 1. General

1.1 Scope - These Legislative Regulations provide for cancellation of registration, define deleterious and adulterating materials, relate to brands and labeling, drug and vitamin content, sampling and analysis, adopt Association of American Feed Control Officials terminology, provide for alternative listing of ingredients, mineral content, non-protein nitrogen requirements, misbranding and supersedure.

1.2 Authority - Code of West Virginia 19-14.

1.3 Filing Date - June 1, 1976

1.4 Effective Date - July 1, 1976

Section 2. Index

Section 3. Revocation or Cancellation of Registration

3.1 Registration of commercial feeds sold in bulk or packages larger than ten pounds shall be permanent unless:

3.1.1 Cancelled by registrant;

3.1.2 No sales reported by the registrant during a twelve consecutive month period; or

3.1.3 Revoked or cancelled by the Commissioner for cause.

Section ~~4.~~ 3 Adulterating or Deleterious Materials

4.1 The following are determined to be adulterants or deleterious and are prohibited:

4.1.1 More than 8.00% crude fiber in poultry feeds (This does not apply to supplemental poultry feeds or to feeds designed to supress sexual development in pullets when so labeled.)

4.1.2 More than 5.00% crude fiber in scratch feeds.

4.1.3 More than 12.00% crude fiber in horse feed intended to be fed with hay or pasture. (A complete horse feed may contain up to 25.00% crude fiber when so labeled with proper feeding instructions.)

4.1.4 More than 8.00% crude fiber in swine feed. (This does not apply to feed for gestating sows which may contain 16.00% crude fiber or to swine supplements containing more than 32.00% protein.)

4.1.5 More than 500 whole weed seeds per pound.

4.1.6 A pet food when its composition does not conform to the Official Pet Food Regulations of the Association of American Feed Control Officials, Incorporated

Section ~~5.~~ 4 Brand and Product Names

5.1 The brand or product name must not be misleading. If the name indicates the feed is made for a specific use, the character of the feed must conform therewith. A mixture labeled "dairy feed", for example, must be suitable for that purpose.

5.2 Single ingredient feeds shall have a product name in accordance with the designated definitions of feed ingredients as recognized by the Association of American Feed Control Officials unless the Commissioner designates otherwise.

5.3 A name of a commercial feed shall not be derived from one or more ingredients of a mixture at the exclusion of other ingredients and shall not be one representing any component of a mixture unless all components are included in the name. Pet foods shall comply with AAFCO Guidelines.

5.4 The word vitamin, or a contraction thereof, or any word suggesting vitamin can be used only in the name of a feed which is represented to be a vitamin supplement, and which is labeled with the minimum content of each vitamin declared, as specified in Section ~~6.~~ 5.3

5.5 The term "mineralized" shall not be used in the name of a feed except "Trace Mineralized Salt". When so used, the product must contain significant amounts of trace minerals which are recognized as essential for animal nutrition.

5.6 The term "meat" and "meat by-product" when applied to the corresponding portions of the animals other than cattle, swine, sheep and goats shall be used in qualified form as, for example, "horse meat by-product", "reindeer meat by-product", etc.

Section 5. Expression of Guarantees

6.1 The sliding-scale method of expressing guarantees (for example, "Protein 15-18%") is prohibited, except as specifically provided by the law or by regulation.

6.2 Drugs in commercial feeds shall be guaranteed in terms of percentage by weight, except antibiotics, which shall be expressed in grams per pound on feeds containing more than 2,000 (total) of antibiotics per ton. All products containing less than 2,000 units of antibiotics per ton shall be expressed in grams per ton. The term "milligrams per pound" will be permitted on the label only in cases where dosage is given as "milligrams per day" in the feeding directions, provided, that labels for commercial feeds containing growth promotion and/or feed efficiency levels of antibiotics which are to be fed continuously as the sole ration are not required to make quantitative guarantees unless required by the U. S. Food and Drug Administration.

6.3 Guarantees of minimum vitamin content of feeds and feed supplements shall be stated in units or milligrams per pound as provided herein: vitamin E in USP or International Units, vitamin A other than precursors of vitamin A, in USP Units, vitamin D in products offered for poultry feeding in International Chick Units, vitamin D for other uses in USP Units, all other vitamins as true vitamins, not compounds, excepting only pyridoxine hydrochloride, choline chloride, and thiamine; oils and concentrates containing vitamin A or vitamin D or both may be additionally labeled to show vitamin content in units per gram; and providing the term "d-pantothenic acid" be used in stating the pantothenic acid guarantee.

6.4 Commercial feeds containing 55% or more mineral ingredients, shall include in the guaranteed analysis the minimum and maximum percentages of calcium (Ca) and salt (NaCl) and the minimum percentages of phosphorus (P) and iodine (I), if added, minerals, except salt (NaCl), when quantitatively guaranteed, shall be stated in terms of percentage of the element.

6.5 Products which need not be labeled to show guarantees for crude protein, crude fat and crude fiber are:

6.5.1 Products distributed solely as mineral and/or vitamin supplements.

6.5.2 Molasses.

6.5.3 Drugs.

Section 6. Definitions, Sampling and Analysis

7.1 Except as the Commissioner designates otherwise in specific cases, the name and definitions for commercial feeds and methods of sampling shall be those adopted by the Association of American Feed Control Officials, and the methods of analysis shall be the official methods of the Association of Official Analytical Chemists.

Section 8. Ingredient Statement

8.1 Each ingredient must be specifically named. The names and definitions adopted by the Association of American Feed Control Officials are to be used as the common or usual names unless the Commissioner designates otherwise.

8.2 When water is added in the preparation of canned food for animals, water must be listed as an ingredient.

8.3 The term "dehydrated" may precede the name of any product that has been artificially dried.

8.4 No reference to quality or grade of any ingredient shall appear in the ingredient statement of a feed.

8.5 Alternative listing of ingredients within the following groups may be shown on the registration certificate:

8.5.1 Corn, hominy feed, wheat, barley, and grain sorghums (as presently accepted.)

8.5.2 Cottonseed meal, soybean meal, peanut meal, linseed meal and corn gluten meal.

8.5.3 Fish meal, meat and bone meal, meat meal tankage, and poultry by-product meal.

8.5.4 Beet molasses, corn sugar molasses, citrus molasses and cane molasses.

8.5.5 Wheat bran, wheat mill run, and wheat middlings.

8.5.6 Wheat shorts, wheat red dog, corn germ meal, corn gluten feed and grain sorghum gluted feed.

Section 9. Labeling

9.1 The information required in Section 5(a) of the law must appear in its entirety on one side of the label or on one side of the container; this information shall not be subordinated or obscured by other statements and designs.

9.2 The names of all ingredients must be shown in letters or type of the same size.

Section ~~10~~ 9. Minerals

~~10~~.1 When the word "iodized" is used in connection with a feed ingredient, the ingredient shall not contain less than 0.007% iodine, uniformly distributed.

~~10~~.2 Mineral phosphatic materials for feeding purposes shall be labeled with a guarantee for the minimum percentages of calcium and phosphorus, and the maximum percentage of fluorine.

~~10~~.3 The fluorine content of any mineral or mineral mixture which is to be used directly for the feeding of domestic animals shall not exceed 0.30 percent for cattle; 0.35 percent for sheep; 0.45 percent for swine; and 0.60 percent for poultry. Soft rock phosphate, rock phosphate or other fluorine-bearing ingredients may be used only in such amounts that they will not raise the fluorine concentration of the total (grain) ration above the following amounts: 0.009 percent for cattle; 0.01 percent for sheep; 0.014 percent for swine; and 0.035 percent for poultry.

Section ~~11~~ 10. Non-Protein Nitrogen Products

11.1 Urea and other non-protein nitrogen products defined in the Official Publication of the Association of American Feed Control Officials are acceptable ingredients in commercial feeds for ruminant animals as a source of equivalent crude protein. If the commercial feed contains more than 8.75% of equivalent crude protein from all forms of non-protein nitrogen, added as such, or the equivalent crude protein from all forms of protein, the label shall bear adequate directions for the safe use of feeds and a precautionary statement: "CAUTION: USE AS DIRECTED". The directions for use and the caution statement shall be in type of such size so placed on the label that they will be read and understood by ordinary persons under customary conditions of purchase and use.

11.2 Non-protein nitrogen products defined in the AAFCO Official Publication, when so indicated, are acceptable ingredients in commercial feeds distributed to non-ruminant animals as a source of nutrients other than equivalent crude protein. The maximum equivalent crude protein from non-protein nitrogen sources when used in non-ruminant rations shall not exceed 1.25% of the total daily ration.

11.3 Commercial feeds containing any added non-protein nitrogen shall be labeled as follows:

11.3.1 For ruminants:

11.3.1.1 Complete feeds, supplements, and concentrates containing added non-protein nitrogen and containing more than 5% protein from natural sources shall be guaranteed as follows:

Crude Protein, minimum, ____%
(This includes not more than ____% equivalent protein from non-protein nitrogen).

11.3.1.2 Mixed feed concentrates and supplements containing less than 5% protein from natural sources may be guaranteed as follows:

Equivalent Crude Protein from Non-Protein Nitrogen, minimum _____%

11.3.1.3 Ingredient sources of non-protein nitrogen such as Urea, Di-Ammonium Phosphate, Ammonium Polyphosphate Solution, Ammoniated Rice Hulls, or other basic non-protein nitrogen ingredients defined by the Association of American Feed Control Officials shall be guaranteed as follows:

Nitrogen, minimum, _____%
Equivalent Crude Protein from Non-Protein Nitrogen, minimum, _____%.

11.3.2 For Non-Ruminants:

11.3.2.1 Complete feeds, supplements and concentrates containing crude protein from all forms of non-protein nitrogen, added as such, shall be labeled as follows:

Crude Protein, minimum, _____%
(This includes not more than _____% equivalent crude protein which is not nutritionally available to species of animals for which feed is intended.)

11.2.2.2 Premixes, concentrates or supplements intended for non-ruminants containing more than 1.25% equivalent crude protein from all forms of non-protein nitrogen, added as such, must contain adequate directions for use and a prominent statement: "WARNING: This feed must be used only in accordance with directions furnished on the label."

Section ~~12~~ 11. Misbranding

~~12~~.1 A pet food shall be considered as misbranded when its labeling does not conform to the label format and requirements approved by the Pet Food Committee of the Association of American Feed Control Officials, Inc., or when any nutritional claim or value is made which is not supported by the Committee on Animal Nutrition of the National Research Council of the National Academy of Sciences or other nutritional authority recognized by the Commissioner.

~~12~~.2 Any commercial feed shall be considered as misbranded if it contains a drug or medication not approved by the Food and Drug Administration under Title 21, Code of Federal Regulations or if its labeling does not contain adequate warning, use and withdrawal statements for that particular drug or medication.

12.3 Any commercial feed shall be considered as misbranded if an artificial color has been used to enhance the natural color of a feed or feed ingredient whereby inferiority or nutritive value would be concealed or if any coloring agent has been used which has not been shown to be harmless to animals.

Section 12. Supersedure

All regulations previously adopted are hereby rescinded.

Gus R. Douglass
Agriculture Commissioner