

## **DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION NOTICE OF PROPOSED GUIDANCE DOCUMENTS**

Pursuant to section 227.112 of the Wisconsin Statutes, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is hereby accepting comments on the proposed guidance document:

### **CY2020 Webinar Series: Pet Food Tonnage, Sampling, and Inspections**

#### **LOCATION OF PROPOSED GUIDANCE**

Proposed guidance document may be reviewed by accessing:

[https://datcp.wi.gov/Pages/About\\_Us/GuidanceDocuments.aspx](https://datcp.wi.gov/Pages/About_Us/GuidanceDocuments.aspx)

#### **SUBMITTING PUBLIC COMMENTS**

Public comments on proposed or adopted guidance document may be submitted by accessing:

[https://datcp.wi.gov/Pages/About\\_Us/GuidanceDocuments.aspx](https://datcp.wi.gov/Pages/About_Us/GuidanceDocuments.aspx)

#### **DEADLINE FOR SUBMISSION**

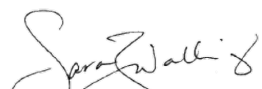
The comment period will run no fewer than 21 days after the publication of this document in the Administrative Register.

#### **AGENCY PUBLICATION**

The attached guidance document contains statements or interpretations of law under the following applicable provisions of federal law or the applicable state statutory or administrative code provisions: Wis. Stat. ch. 94.72, Wis. Admin. Code, ch. ATCP 42.

#### **CERTIFICATION**

Pursuant to the authority delegated to me by the Secretary, I have reviewed the attached guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.



Sara Walling

Administrator

Division of Agricultural Resource Management



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GUIDANCE DOCUMENT

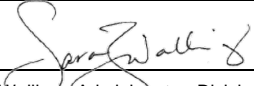
# CY2020 Webinar Series: Pet Food Tonnage, Sampling, and Inspections

*This guidance document is based on Wis. Stat. ch. 94.72 and chapter(s) ATCP 42 Wis. Admin. Code. This document is intended solely as guidance, and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed.*

24 (ARM)

The feed program is planning a webinar series for the spring of CY2020 related to the different types of feed manufacturers in the state of Wisconsin, according to the inspection type. This is one of three unique webinars that will be presented as an outreach effort. The pet food manufacturer webinar is tentatively planned to be a 90 minute presentation held in the late morning of February 11, 2020. Topics covered include pet food tonnage, pet food surveillance sampling, and “what to expect from an inspection.”

**A previous feed specialist conducted regional meetings similar to these webinars in format, and the meetings were well-received by industry. In order to limit travel expenses for DATCP staff and the attendees, webinars seemed one of the most suitable ways to bring the outreach idea back into the feed program.**

	11-12-19 Click or tap to enter a date.
Sara Walling - Administrator, Division of Agricultural Resource Management	DATE
Contributors: Heather Bartley, Carla Doelle, Kevin Brey, Andrew Dal Santo, Robby Personette	

# Commercial Feed Program - Pet Food Manufacturers

# Housekeeping and Agenda

- Speakers on mute
- Questions at end (30 min)
- Tonnage
- Sampling
- Inspections
- Labels

# Feed Tonnage Statute Changes



# To help you delineate

- **Inspection fee (money)**

- Fees collected based upon distribution of commercial feed by the first to sell or distribute in or into the state of WI
- The money assessed on the quantity of commercial feed sold or distributed
- Commonly known as “tonnage tax”



- **Tonnage (commodity)**

- A quantity of commercial feed and is based upon distribution by the first to sell or distribute in or into the state
- Quantity or count



# Licensing

Licenses required for:

- Manufacturers of commercial feed
- Labelers of commercial feed
- Distributors of commercial feed (see below)

Activities currently not required to have a commercial feed license:

- Distribution of packaged commercial feed as packaged and labeled by the entity whose name appears on the label
- Distribution of bulk commercial feed in the form received from and labeled by a licensee, except for net weight statement
- Distribution of custom-mixes, if ingredients in the mixture were already assessed the inspection fee by a previous licensee.

# Change to Responsibility Requirement

If more than one manufacturer or distributor is involved in the chain of distribution, the one who first sells or distributes commercial feed in this state or to a person in this state for further sale is responsible for the payment of the inspection fees for the feed.

*\*\*Note – Brokers and distribution businesses may now be responsible to report and pay inspection fees under the revisions*



# Summary of changes to Statute

## Minimum inspection fee of \$50.00 for 0 – 200 tons

- Removed exempt buyer license status
- Removed credit reporting requirements
  - prepaid purchases
  - distributions/purchases to exempt buyers
  - exempt buyers' out of state distributions



# New Guidances Available

Check them out at [datcp.wi.gov](http://datcp.wi.gov)

- Frequently Asked Questions & Flowchart
- Tonnage Form Instructions

[DATCP Home](#) > Commercial Feed Licensing Forms and Tonnage Reporting

## Commercial Feed Licensing Forms and Tonnage Reporting

### Feed Tonnage Changes

Changes to commercial feed tonnage and inspection fees have changed, effective January 1, 2018. For reporting purposes, these changes are effective with reporting for calendar year 2018 distributions, with paperwork to be completed in early 2019. Changes that took effect January 1:

- Minimum inspection fee increases to \$50.00 for 0-200 tons, or \$0.25/ton for 201 or more tons, whichever is greater. Fee was previously \$0.25 per ton.
- Exempt buyer status licenses go away
- All credits go away (prepaid purchases, exempt buyer sales/purchases, out-of-state distributions)
- Invoices no longer required to display that inspection fees are not paid
- Report only tons of feed and feed ingredients if you are the first to distribute into Wisconsin

[Tonnage reporting guidance](#)

[Summary of changes -- marked-up legislation](#)

# 2017 Pet Food Sampling Project

# Pet Food Sampling

- Pet Food sampling project conducted in 2017
  - Number of samples collected: 100
  - Pass/Fail: 85/15
  - Pass percentage: 85%
- Number of analytes for each sample: 25-27

Chart 1. Overall Results  
by Nutrient Profiles

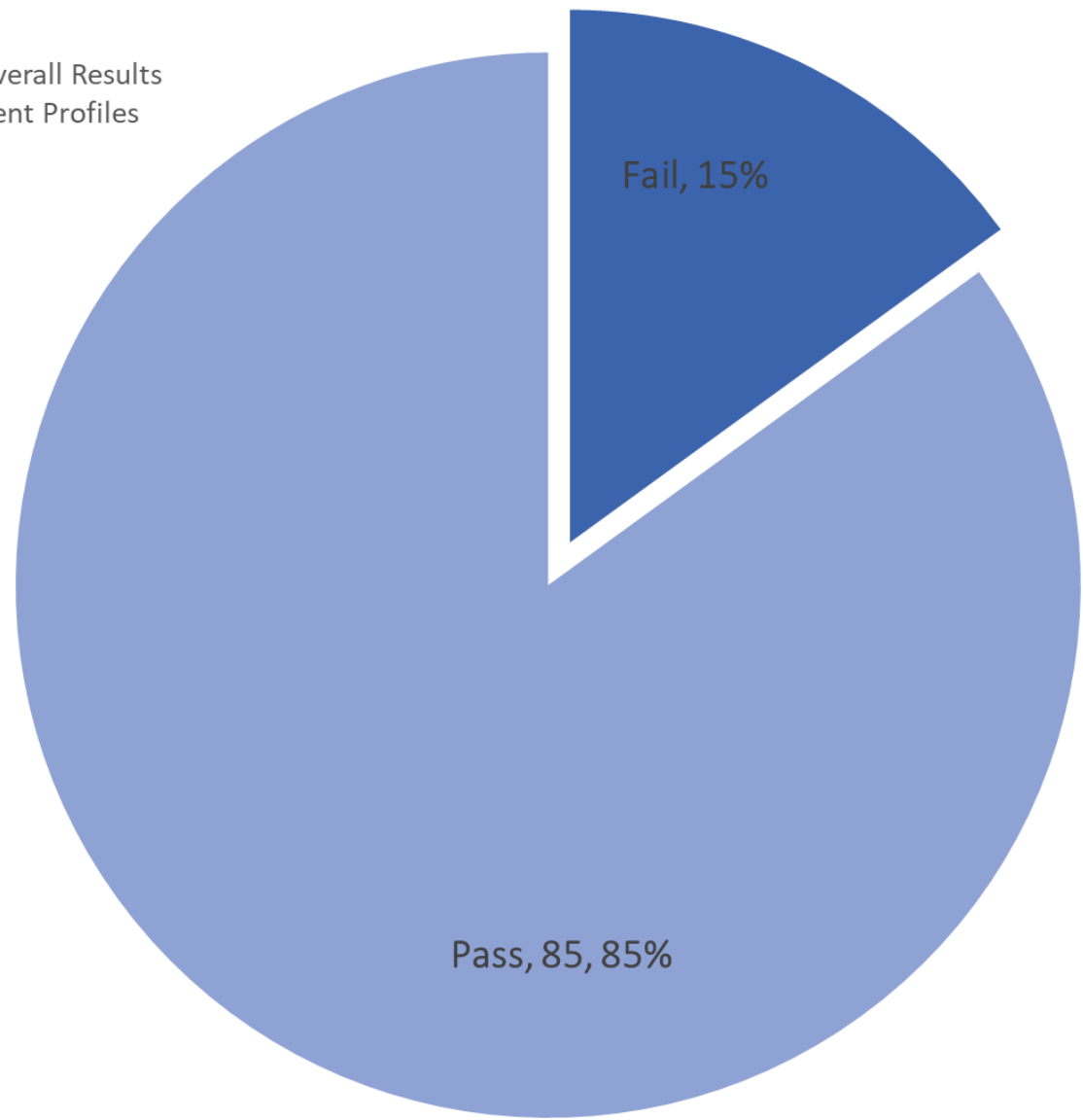
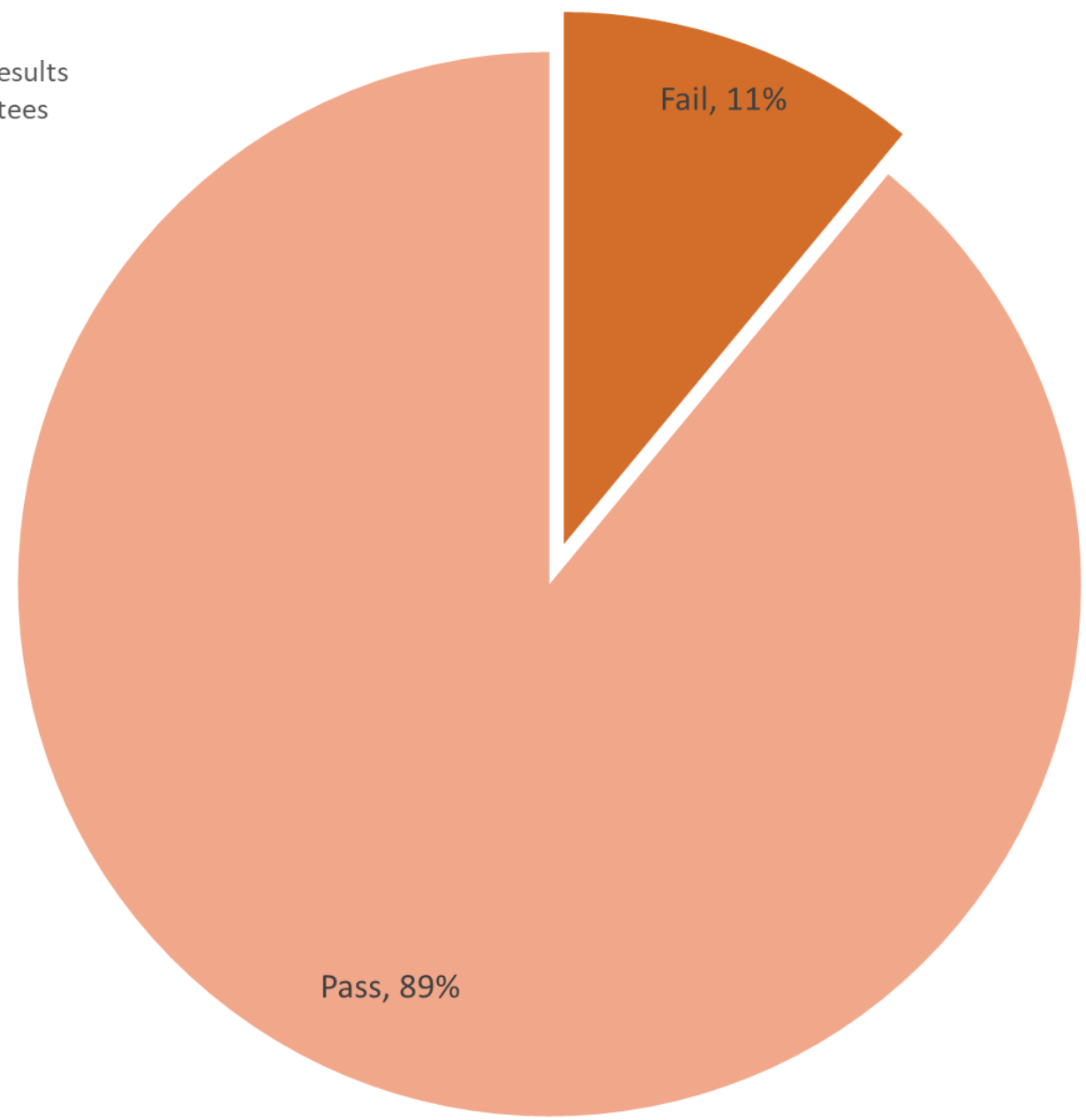


Chart 2. Overall Results of Label Guarantees



Browser address bar: [https://datcp.wi.gov/Pages/Programs\\_Services/LivestockFeedPetFood.aspx](https://datcp.wi.gov/Pages/Programs_Services/LivestockFeedPetFood.aspx)

Navigation: Agency Directory Online Services

State of Wisconsin Department of Agriculture, Trade and Consumer Protection

Menu: ONLINE SERVICES LICENSES/PERMITS PUBLICATIONS PROGRAMS/SERVICES GROWING WISCONSIN NEWS/MEDIA ABOUT US

Search: Search Department of Agriculture, Trade and Consumer Protection

Breadcrumbs: DATCP Home > Livestock Feed and Pet Food

## Livestock Feed and Pet Food

The Wisconsin Department of Agriculture licenses commercial feed and livestock feed, pet food including homemade pet treats, and feed chain and animal health, protects consumers against fraud, and provides...

[Commercial feed licensing and tonnage reporting](#)

[https://datcp.wi.gov/Pages/Programs\\_Services/LivestockFeedPetFood.aspx](https://datcp.wi.gov/Pages/Programs_Services/LivestockFeedPetFood.aspx)

- Animal Health
- Business Development
- Business Trade Practices
- Client Assistance Program
- Consumer Protection
- Farm Center
- File a Complaint
- Food & Recreational Safety
- Grants and Other Funding Opportunities
- Inspections
- Land & Water Conservation
- Livestock Feed/Pet Food**
- Maps
- Pesticides/Fertilizers
- Petroleum/Haz Storage Tanks
- Plants, Seeds and Insects

### Additional Resources

- [Pet Food Sampling Project Report](#)**

# Inspections





# Stepped Enforcement Activity

- For critical violations involving labeling and cGMP, DATCP has a stepped enforcement plan to address continuing violations that will initiate an investigation result in civil forfeitures.
  - Civil penalties available as of 2017
  - Criminal penalties always available

# Four Key Aspects

- Licensing
- Cleanliness (buildings, equipment)
- Records
- Labeling



# Cleanliness

- Buildings and facilities shall be clean, in good repair, and free of unhealthful or unsanitary conditions.
- Rodents, raccoons, birds, cats, insects, etc. can
  - carry disease,
  - contaminate feed with feces, and
  - damage bags which results in a direct economic loss to you.
- Cleanliness inside and outside the mill will minimize or prevent pest infestation.

Vegetation control along warehouse and mill needed to prevent pest infestations



Pallets stored  
along wall can  
harbor pests

Unrepaired  
damage to wall  
can allow pest  
access





Unrepaired roof leaks may lead to mold growth



Extensive sparrow activity in mill leads to significant bird poop on floor and bags





Consider establishing a written housekeeping schedule to make sure spills are routinely cleaned up





# Cleanout Procedures

- Adequate cleanout procedures to prevent unsafe contamination of feeds – such as vitamin or mineral carryover – and to maintain cleanliness of equipment
  - Sequencing
  - Flushing
  - Physical

# Mixers



# GMPs: Records

## Production Records

Written records to document that production steps were met.  
Necessary to recall specific batches of feed.

IF no written documentation, then no proof steps were completed.



# Labels

(5 min break)

# Pet Food Labels

Brand name

Product name

Dog or cat identifier

Net quantity

Ingredient statement

Guaranteed analysis

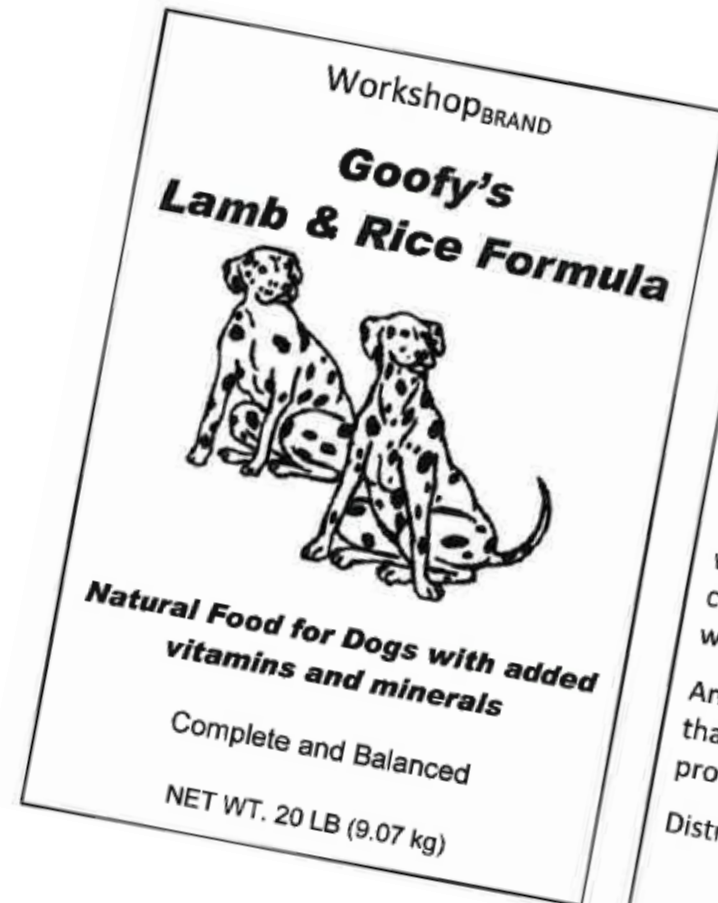
Calorie content

Use directions

Nutritional adequacy statement

Manufacturer information

Label claims and graphics



# Pet Treat Labels

Brand name

Product name

Dog or cat identifier

Net quantity

Ingredient statement

Guaranteed analysis

Manufacturer information

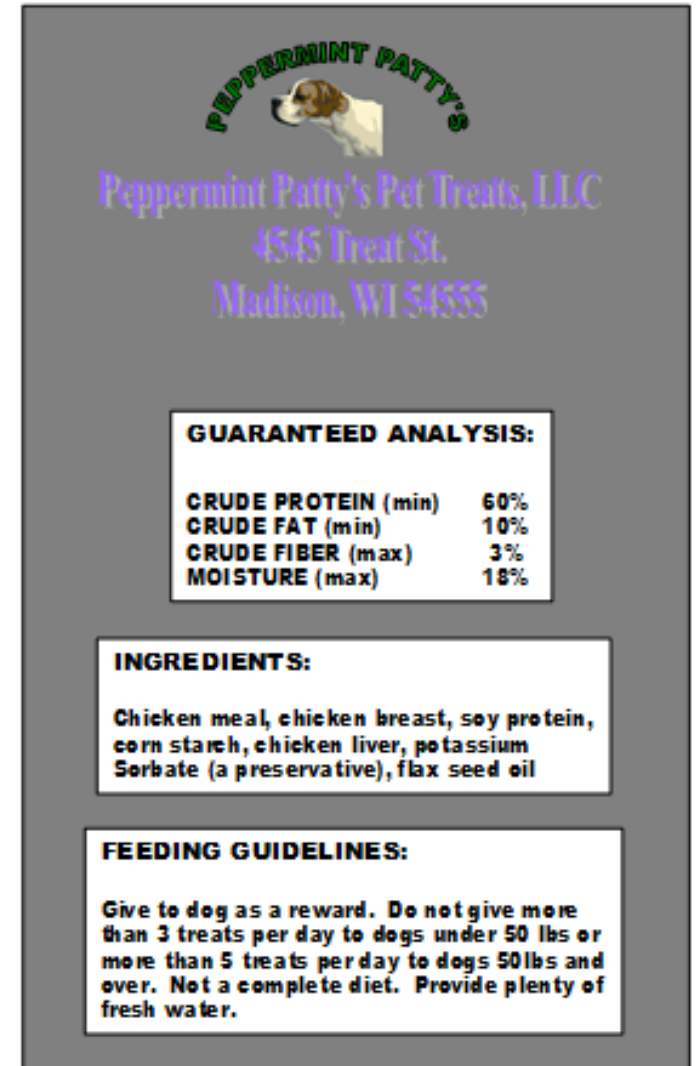
Label claims and graphics

OPTIONAL:

Calorie content

Use directions

Nutritional adequacy statement



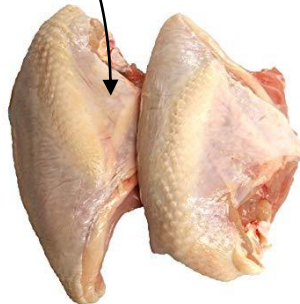


# Records & Labels Crossover

- Ingredients check of at least 2 pet food formulations



**INGREDIENTS:**  
Chicken meal, chicken breast, soy protein,  
corn starch, chicken liver, potassium  
Sorbate (a preservative), flax seed oil



# Questions?

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Andrew Dal Santo, Fertilizer, Feed, and Containment Unit Supervisor (608) 224-4541 or [Andrew.dalsanto@Wisconsin.gov](mailto:Andrew.dalsanto@Wisconsin.gov)

Inspectors: [https://datcp.wi.gov/Pages/Programs\\_Services/EnforcementInspection.aspx](https://datcp.wi.gov/Pages/Programs_Services/EnforcementInspection.aspx)





## ***CY2020 Regional Feed Webinars: Pet Food Script***

Slide 1. Hello everyone and thank you all for joining us today! *[next slide]*

Slide 2. Before we get started, I would like to run through a couple housekeeping items. First, please ensure your speakers are on mute. In order to be sure we get through all of the presentation content, we have 30 minutes reserved for questions at the end. You are welcome to submit your questions into the chat box as we go, and we will answer those at the end. Today, we are discussing commercial feed requirements specific to pet food in Wisconsin. I'd like to remind everyone that a pet, according to regulation, is either a dog or a cat. Food for specialty pets – other animals typically confined in a household like gerbils, hamsters, small reptiles, some birds, etcetera – are currently regulated under the livestock commercial feed regulations. Wisconsin differs from other states in that it does not have a specialty pet food regulation at this time. That said, for today's webinar, we will use the phrases "pet food," "feed," and "commercial feed" interchangeably to refer to dog and cat food. In the next hour, we're going to talk about tonnage and the changes that took effect in 2018, the sampling program, what to expect from an inspection, and last we'll go through the label requirements for pet food labels. *[next slide]*

Slide 3. With that, we will start by going over the commercial feed tonnage statute changes that took effect on January 1, 2018. *[next slide]*

Slide 4. It is important to remember inspection fees and tonnage are two different things. The inspection fees are monies collected by the department according to the quantity of pet food sold or distributed. The fee is paid by the business that is **first** to distribute or sell the feed in or into the state of Wisconsin. Tonnage is the quantity of pet food itself. *[next slide]*

Slide 5. Any person who is manufacturing or distributing pet food in or into the state of Wisconsin is required to hold a valid commercial feed license, issued by the department. This also applies to persons whose name and address appears on the label of a pet food as the guarantor of that pet food. However, there are three exceptions to the licensing requirements: If you distribute pet food as it was packaged and labeled by a licensed manufacturer or distributor, you do not need a license. If you distribute bulk pet food as it was manufactured and labeled by a licensed manufacturer or distributor, and repackage the bulk pet food into small containers bearing the same label as the bulk pet food, you do not need a license. The exception to not needing a license for repackaging bulk pet food into smaller containers is when the bulk pet foods are commingled and repackaged – then a license is required. Third and lastly, if you distribute only custom-mixed pet food using ingredients that you purchased from other licensed manufacturers or distributors, you do not need a license. **\*\*Please remember that a custom-mixed pet food is one that is formulated by the pet owner for his or her own pets, and you as the manufacturer are not representing any nutritive guarantees for the pet foods. Remember that retailers are still exempt from licensing. When we talk about retailers, we are referring to entities that merely purchase and resell pet food manufactured and labeled by a third party pet food company. We also want to clarify that with the statute changes, brokerages and distribution businesses that are **first** to distribute in or into this state would require a commercial feed license. There is a chance that those entities may have been able to conduct business in the past without being licensed. We look forward to working cooperatively to notify**

anyone who may not have needed a license in the past, that may need a license going forward.

*[next slide]*

Slide 6. In the past, the very first person to manufacture and distribute a feed or feed ingredient, including pet food, no matter how many times it changed hands, was responsible for reporting tonnage and remitting the inspection fees to the Department. In today's world, that's no longer realistic. In layman's terms, the changes that took effect January 1, 2018, bump the responsibility to the person or entity that is the first to distribute a commercial feed in or into Wisconsin. In other words, if a pet food moves from the original manufacturer in California to a pet owner in Wisconsin and changes hands five times along the way, the fifth person that sold the pet food to the pet owner in Wisconsin, is responsible for reporting the tonnage and remitting the inspection fees. If the pet food was sold out of California, to Wyoming, then to Iowa, then to Minnesota and finally to Wisconsin, the Minnesota firm is responsible for reporting the tonnage and remitting the fees. Again, the fifth transaction is the only one to report the tonnage and remit fees. *[next slide]*

Slide 7. Along with the change to the responsibility requirement, several other changes were made to the statute. One change was the implementation of a minimum inspection fee of \$50.00 for 200 tons or less, including distributions of zero tons. Another change made was removal of the exempt buyer license status option. This means that no licensee may apply for or receive exempt buyer status regardless of the amount of pet food being exported, or distributed out of state. In other words, all licensees will be held to the very same requirements. Finally, all credit-reporting requirements were removed. While prepaid purchases are no longer required to be reported to the Department, please know you still can reduce your total tonnage by the cumulative total of feed ingredients and pet foods that another licensee first distributed in or into Wisconsin to you. All four changes, the responsibility of the tonnage reporting, the minimum inspection fee, the removal of the exempt buyer license status, and the reduced reporting requirements for credits, took effect on January 1, 2018 and are applicable to reports filed in January 2019. *[next slide]*

Slide 8. One last thing before we switch topics... In 2019, the feed program staff worked with a group of industry members to revise and create some documents to help make reporting tonnage easier. The documents are available on our website for you to print and use. *[next slide]*

Slide 9. Now we'll transition to the manufacturing side of things, and start by going through pet food surveillance sampling conducted by the Department. *[next slide]*

Slide 10. During March and April 2017, DATCP collected 100 samples of canned and dry dog and cat foods from 22 companies. Manufacturers of the sampled pet foods were located both in and outside of Wisconsin. All samples were collected and purchased at retail pet food locations; pricing was not a factor in this project.

Analysis for each sample included nearly the full array of required nutrients in the AAFCO dog and cat nutrient profiles for maintenance and for growth and reproduction. The nutrient profiles used as standards were selected based on the nutritional adequacy statement on the pet food label. If a food was labeled for all life stages, it was measured against the nutrient profile with the highest nutritive requirements: the growth and reproduction profile. *[next slide]*

Slide 11. Overall, 85% of samples met the analytical comparison to the AAFCO nutrient profiles. Of the 15 samples that failed to meet the corresponding AAFCO nutrient profile, 10 samples

failed to meet only 1 analyte.

The comprehensive nutrient profile analysis yielded fails for minerals (phosphorus, potassium, iron, calcium, and selenium), amino acids (threonine, histidine, phenylalanine, and isoleucine), protein, and vitamin A. Generally speaking, the fails were by a small margin, falling short of the required nutrient amount by tenths or even hundredths of a unit.

It should be noted that this project was designed to be only a snapshot of pet food products sold in Wisconsin; the quantity of samples was insufficient to be representative of all pet foods distributed in the state. *[next slide]*

Slide 12. In addition, the label guarantees were compared to the sample results. Label guarantees can be, and often are, different from the AAFCO nutrient profile requirements for certain nutrients. Not all nutrients in the profiles are guaranteed on the labels; typically 4 to 10 guarantees are listed on the label, including the required 4 guarantees of minimum crude protein, minimum crude fat, maximum crude fiber, and maximum moisture. Only nutrients that were both analyzed and guaranteed were assessed for this component of the project. Of the samples, 89 met the label guarantees. Only one of the 11 samples that failed to meet label guarantees failed to meet more than 1 guarantee. *[next slide]*

Slide 13. If you have an interest in seeing the detailed data beyond what we've seen today, please visit our website, [datcp.wi.gov](http://datcp.wi.gov), and go to the Livestock Feed/Pet Food page via the Programs/Services menu. The complete report is available in the right hand menu from the main Feed webpage as a PDF file. *[next slide]*

Slide 14. Next, we're going to go through pet food, including pet treat, manufacturing inspections and what you should expect when your state inspector visits. *[next slide]*

Slide 15. First, let's cover the enforcement activity related to inspections. Field staff generally try to educate before they regulate, and will strive to inform facility staff how to comply before going to the verbal or written warnings, or the civil or criminal fines. It is worth pointing out that the feed program has only recently acquired civil penalty authority, in 2017. Prior to that, enforcement actions could only go the criminal penalty route. The Department strives for uniformity in all aspects of the feed program. That is related to what the field staff inspect for, what they are looking to see or what they expect to see, and how they utilize enforcement action when there is a violation. All that said, multiple factors have an impact on enforcement decisions, such as employee turnover, compliance history, type of violation, severity of the violation, and most importantly, the health and safety risk to animals and people. In some cases, companies have multiple facilities, and that can play a role in the enforcement action decision as well. Let's move on to what to expect from an inspection, so that enforcement actions don't have to be a decision with an inspection at your facility. *[next slide]*

Slide 16. Every pet food manufacturer inspection has four key aspects. The main things an inspector will look for are a current feed license, cleanliness of your buildings and equipment, proper recordkeeping and retention of records, and adequate labels for all pet foods and feed ingredients. *[next slide]*

Slide 17. When the inspector first arrives at your facility, he or she will request to meet with the most responsible person on-site. The most responsible person, and possibly other employees, will be interviewed for the duration of the inspection, and will be expected to answer, or acquire

an answer, related to the good manufacturing practice standard operating procedures in use at your facility. Initially, the inspector will do a walk-through of the facility, to look at the cleanliness and maintenance of the buildings and equipment, inside and out. The inspector will look to ensure that there is minimal to no evidence of rodents, vermin, birds, or insects. Part of that will include an overview of pest control. If your facility uses its own pest control, our inspectors are educated in the use of pesticides and can answer any compliance questions you may have related to the use of pesticides in an animal-food producing facility. Your inspector will be firm on requesting clean-up when necessary; especially with today's heightened awareness of biosecurity related to avian influenza, African swine fever, and other infectious diseases. Inspectors are looking to ensure physical contaminants or potential adulterants – like stored pesticides, fertilizers, non-food grade grease, or cleaning compounds – are stored in a separate, segregated area. During the outside walk-about, the inspector will be looking for areas that may harbor pests, or grant access to your facility, such as significant holes or openings in the wall or floor, or overgrown foliage. [next slide]

Slide 18. This photograph demonstrates what we're talking about on the outside of a facility – overgrowth of plants. Not only does the foliage provide a place for pests to reside, it could also hide access points for rodents and other vermin to access the interior of the building. [next slide]

Slide 19. Similarly, in the top left of this photo, we see a stack of pallets leaning against the wall. Rodents love to live in those types of materials, especially when there is an access point down the wall like the holes in the tin of this building in the center of the picture. [next slide]

Slide 20. A wet floor is a strong hint to an inspector that there is a roof leak. Sometimes facilities do wet cleaning, and the water on the floor is not because of a leaky roof. Obviously, leaks can damage the integrity of packaging and cause bags to tear and spill, or mold the feed. [next slide]

Slide 21. Loading and unloading areas commonly experience bird activity, because doors can be open for extended periods of time. Inspectors will look to see that the bird population and activity is controlled as much as possible. Bird droppings carry diseases like histoplasmosis which can cause high fever, blood abnormalities, pneumonia, and even death in humans. Facilities have instituted a variety of methods to control birds – nets, plastic flaps over doors, and visual repellants (like plastic predators or reflective bird diverters). [next slide]

Slide 22. The indoor and outdoor walk-about will include a look at spillage from ingredient and finished pet food transfers via legs, bins, loading areas, and unloading areas. Spills such as the ones in this photo must be cleaned up. The spilled feed attracts the pests we are striving so hard to keep away, and it can be a source of mold.

Dust or residue from regular manufacturing activities is expected and acceptable. However, inspectors are taught to see the difference between fresh accumulations, and build-up from a long period of time. Remember, the best way to demonstrate an SOP, is to have the documentation to support it. It is acceptable if your facility is apparently undergoing regular cleaning without a document to substantiate the routine housekeeping. Remind employees to keep an eye open for broken, ripped and torn containers. Sometimes they come that way from suppliers, other times someone is texting and driving the forklift. Your inspector is going to work with you; however, they want to see effort at ensuring spills get cleaned up promptly. [next slide]

Slide 23. After reviewing the housekeeping, your inspector will look for adequate procedures related to equipment cleanout. The procedures shall be established and used for all equipment used in the production and distribution of pet foods to avoid unsafe contamination and a standard of cleanliness.

In other words, your inspector is looking to hear about, and see, production and control procedures that prevent unsafe contamination of current batches of pet food by residual feed material in mixers, legs, bins, trucks, baggers and other equipment.

Sequencing, flushing, and physical cleanout are all acceptable ways to mitigate the potential risks. [next slide]

Slide 24. Mixers are the obvious piece of equipment when it comes to flushing, sequencing, and physical clean out. Manufacturing with raw meat and vegetables can create build-up quickly due to the high moisture content. Please take that into consideration when establishing equipment clean-out procedures. It may mean that your facility has to tweak the clean-out frequency based on the ingredients in specific batches. [next slide]

Slide 25. Production records serve two main purposes. The first purpose for production records is to enable your facility to conduct a recall of specific batches of pet food should an issue arise with any ingredient used in the pet food. Recently, with the creation of the Federal Reportable Food Registry, we hear about recalls related to vitamin levels, and other issues.

For smaller firms, recalls are still a concern. For example, a flour recall occurred in September 2019 with Gold Medal brand flour. Dog treats containing the flour in question should be considered in such a recall. Will the issue with the flour be consequential to dogs consuming your treats? If so, good production and distribution records will be essential in recalling the dog treats manufactured by your company.

Typically, if it isn't written down on paper, then your inspector is hard pressed to have evidence to show that your facility completed the steps. Remember to keep track of production on paper so you are able to show your inspector that you do sequence and flush your mixers, if and where applicable. [next slide]

Slide 26. That wraps up the good manufacturing practices, or GMPs, portion of our webinar. Let's take a 5 minute break, so that you can grab a coffee before we start on the labeling section of today's presentation.....

Alright, we are ready to start again. As I mentioned earlier, this segment is going to go through the requirements for pet food labels. [next slide]

Slide 27. During the course of an inspection, as a matter of standard procedure, inspectors will request 4 pet food labels to review for compliance. In addition, the inspector will request formulas for 2 of the 4 labels. I'll get into the reason behind the formula request in an upcoming slide.

As you can see from the slide on your screen, a number of components are required of a pet food label. Some of the components have a specific requirement related to the location, and some do not.

The ones that do have a location requirement are the brand and/or product name, the dog or cat identifier, and net quantity. All three of those label components are required to be on the principal display panel of the label. The principal display panel is the panel of the package or container that is displayed to the consumer on a retail shelf. According to Federal regulations, the net quantity statement must be in the bottom one-third of the principal display panel. The brand and/or product name and the dog or cat identifier can be anywhere on the principal display panel.

The rest of the required components – the ingredient list, the guaranteed analysis, calorie content, use directions, nutritional adequacy statement, and manufacturer information – can be elsewhere on the package.

The ingredient list shall be one continuous list of approved feed ingredients, in descending order of predominance by weight. In other words, the ingredients are to be listed from most to least. When technical additives are in the feed, such as preservatives or flavorings, they shall be parenthetically identified as such. In addition, if an ingredient is added for purposes of a specific nutrient, such as omega fatty acids, that ingredient shall also be parenthetically identified as such.

The guaranteed analysis on a pet food must include the crude protein, crude fat, crude fiber and moisture values. If any claims are made on the label regarding specific nutrients, those must also be guaranteed. For example, if the label claims presence of vitamins A and D3, then vitamins A and D3 must be guaranteed.

The calorie content on a pet food label, in Wisconsin, is an optional label component. That said, the Association of American Feed Control Officials or AAFCO Pet and Specialty Pet Model Regulations require the calorie content on pet food, treats, snacks, and supplements. Typically, labels of pet food, treats, snacks, and supplements distributed in Wisconsin include the calorie content because the same label is used for the items when distributed in other states. Including the calorie content is not in conflict with Wisconsin regulations, as long as it is in the correct format which is metabolizable energy or ME, expressed kilocalories per kilogram and kilocalories per cup.

Next, feeding directions are required, and are to be written eloquently enough to ensure safe and effective use of the pet food. Please keep in mind the AAFCO Pet and Specialty Pet Food Model Regulations have more specific stipulations regarding the use directions. As with the calorie content, following the more specific stipulations for the feeding directions is not in conflict with Wisconsin regulations and will be acceptable.

The nutritional adequacy statement is a required label component, and must be on the label verbatim to the language in the regulation. Wisconsin law has not been updated in some time, and does not include the nutritional adequacy statement language from the AAFCO Pet and Specialty Pet Model Regulations' about the growth of large size dogs. If your company is current

with the AAFCO Pet and Specialty Pet Model Regulations related to the nutritional adequacy statement, Wisconsin will use regulatory discretion and allow the updated version of the statement.

Finally, the label claims and graphics that are “extra” and not required information, can be anywhere on the label, provided those items are not false, deceptive or misleading.

After the field inspector completes their inspection report and turns it in to the Madison office, a more in-depth label review is conducted by the Madison office staff to ensure ingredients are listed in the correct order, all of the ingredients are approved for pet food, and the claims are truthful, among other things. [next slide]

Slide 28. Pet treat labels differ slightly from pet food labels. We’ll walk through the requirements for dog and cat treats now, and I promise not to get so long-winded during this slide! I’ll remind you once more that the word pet, according to the regulatory definition, only refers to dogs and cats. Similar to a pet food manufacturer inspection, inspectors collect 4 labels for review during a pet treat manufacturers inspection. If your firm does not have 4 different labels, the inspector will just collect what you have. Treat labels are a bit simpler than pet food labels, because the calorie content, use directions, and nutritional adequacy statement are not necessarily required.

With the optional information aside, the label components that are required for a pet treat label follow the same vein of requirements as the pet food labels. Just like pet food labels, pet treat labels are required to display the product and/or brand name, whether the treat is for dogs or cats, and the net quantity on the principal display panel. Remember, the Federal regulation requires the net quantity to be in the bottom one-third of the label.

The manufacturer can include their company name and address, the guaranteed analysis with the crude protein, crude fat, crude fiber, and moisture values, the ingredient statement listing approved ingredients from most to least, and the use directions, if included, anywhere else on the label. Finally, the label claims and graphics – which are considered optional information - must be truthful, and not false, deceptive, or misleading.

It is up to the manufacturer as to whether or not they include the calorie content of their treats. Some do and some do not. Wisconsin will allow either decision, as long as the proper format is followed. Use directions typically are not required of treats, however, it does slightly depend on the type of treat. If the treat is more of a supplement that needs divvying up in order to be safely and effectively fed to the pet, the Madison staff may follow-up and request use directions to be included on the label. Lastly, for a treat or supplement, a nutritional adequacy statement is not expected. However, a manufacturer may opt to include the statement that says, “This product is intended for intermittent or supplemental feeding only.”

If you wish to learn more about developing a pet food and treat labels, please watch the Association of American Feed Control Officials website, [aafco.org](http://aafco.org). AAFCO holds labeling workshops for varying types of labels prior to its annual and midyear meetings. AAFCO also offers a Pet and Specialty Pet Food labeling guide for purchase on their website, a spiral booklet

that goes into quite a bit of detail related to the requirements for the pet and specialty pet labels. [next slide]

Slide 29. Earlier I mentioned that our inspectors will request a copy of two formulas that correspond to two of the four labels selected for further review during the inspection. From those formulas, the Madison office staff will be able to determine if ingredients in the ingredient statement of the finished pet food are listed in the correct order. In addition, paperwork collected by the field staff during their ingredient verification for the two formulas requested, will enable the Madison staff to verify that ingredients listed on the finished pet food label are listed correctly according to the ingredients used.

For example, if an inspector used the ingredient list off of the treat label on the previous slide, and determined that instead of flax seed oil, the firm was actually using flaxseeds, (CLICK MOUSE FOR SLIDE ANIMATION) the Madison office staff would be able to work with the facility to correct the ingredient statement pictured on this slide so that it accurately reflects the physical ingredients used to manufacture the dog treats. [next slide]

Slide 30. With that, we'll open up the presentation to questions. First, let's go through the questions in the chat box. Remember, if you want to ask something very specific, please contact any of us directly based on the subject of your question.