

21—42.2(198) Label format and labeling.

42.2(1) The quantity statement and product name must be shown on the principal display panel. All other required information may be placed elsewhere on the label but shall be sufficiently conspicuous as to render it easily read by the average purchaser under ordinary conditions of purchase and sale.

42.2(2) The information which is required to appear in the “Guaranteed Analysis” shall be listed in the following order unless otherwise specified in these rules:

Crude protein (minimum percentage)

Crude fat (minimum percentage)

Crude fiber (maximum percentage)

Moisture (maximum percentage)

Additional guarantees shall follow moisture.

42.2(3) The label of a pet food shall specify the name and address of the manufacturer, packer, or distributor of the pet food. The statement of the place of business shall include the street address, city, state, and ZIP code; however, the street address may be omitted if such street address is shown in a current city directory or telephone directory for the city listed on the label.

42.2(4) If a person manufactures, packages, or distributes a pet food in a place other than the person’s principal place of business, the label may state the principal place of business in lieu of the actual place where each package of such pet food was manufactured or packaged or is to be distributed if such statement is not misleading in any particular.

42.2(5) A vignette, graphic, or pictorial representation of a product on a pet food label shall not misrepresent the contents of the package.

42.2(6) The use of the word “proven” in connection with label claims for a pet food is improper unless scientific or other empirical evidence establishing the claim represented as “proven” is available.

42.2(7) No statement shall appear upon the label or labeling of a pet food which makes false or misleading comparisons between that pet food and any other pet food.

42.2(8) Personal or commercial endorsements are permitted on pet food labels where said endorsements are factual and not otherwise misleading.

42.2(9) When a pet food is enclosed in any outer container or wrapper which is intended for retail sale, all required label information must appear on such outside container or wrapper.

42.2(10) The words “Dog Food,” “Cat Food,” or similar designations must appear conspicuously upon the principal display panels of the pet food labels.

42.2(11) The label of a pet food shall not contain an unqualified representation or claim, directly or indirectly, that the pet food therein contained or a recommended feeding thereof is or meets the requisites of a complete, perfect, scientific or balanced ration for dogs or cats unless such product or feeding:

a. Contains ingredients in quantities sufficient to meet the nutrient requirements for all life stages established by the AAFCO Dog or Cat Food Nutrient Profiles, as the case may be, or some other AAFCO-recognized authority on animal nutrition¹; or

b. Contains a combination of ingredients which when fed to a normal animal as the only source of nourishment in accordance with the testing procedures established by AAFCO meets the criteria of such testing procedures for all life stages.

42.2(12) Labels for products which are compounded for or which are suitable for only a limited purpose (e.g., a product designed for the feeding of puppies) may contain representations that said pet food product or recommended feeding thereof is or meets the requisites of a complete, perfect, scientific or balanced ration for dogs or cats only:

a. In conjunction with a statement of a limited purpose for which the product is intended or suitable (as, for example, in the statement “A complete food for puppies”). Such representations and such required qualification therefore shall be juxtaposed on the same panel and in the same size, style and color print; and

b. Such qualified representations may appear on pet food labels only if:

(1) The pet food contains ingredients in quantities sufficient to meet the nutrient requirements established by the AAFCO Dog or Cat Food Nutrient Profiles, as the case may be, or some other AAFCO-recognized authority on animal nutrition, for such limited or qualified purpose; or

(2) The pet food product contains a combination of ingredients which when fed for such limited purpose will satisfy the nutrient requirements for such limited purpose and has had its capabilities in this regard demonstrated by adequate testing.

42.2(13) Except as specified by 42.3(1), the name of any ingredient which appears on the label other than in the product name shall not be given undue emphasis so as to create the impression that such an ingredient is present in the product in a larger amount than is the fact, shall constitute at least 3 percent of the total ingredients (exclusive of water sufficient for processing) when preceded by the designation “with” or like term, shall be in the same size, style and color print and if the names of more than one such ingredient are shown, they shall appear in the order of their respective predominance by weight in the product.

42.2(14) The label of a dog or cat food (other than one prominently identified as a snack or treat as part of the designation required upon the principal display panel under subrule 42.2(10)) shall bear, on either the principal display panel or the information panel (as those terms are defined in 21 CFR 501.1 and 501.2, respectively), in type of a size reasonably related to the largest type on the panel, a statement of the nutritional adequacy or purpose of the product. Such statement shall consist of one of the following:

a. A claim that the pet food meets the requirements of one or more of the recognized categories of nutritional adequacy: gestation, lactation, growth, maintenance, and complete for all life stages, as those categories are set forth in subrules 42.2(11) and 42.2(12). The claim shall be stated as one of the following:

(1) (Name of product) is formulated to meet the nutritional levels established by the AAFCO Dog (or Cat) Food Nutrient Profiles for _____. (Blank is to be completed by using the stage or stages of the pet’s life such as gestation, lactation, growth, maintenance or the words “All Life Stages.”)

(2) Animal feeding tests using AAFCO procedures substantiate that (name of product) provides complete and balanced nutrition for _____. (Blank is to be completed by using the stage or stages of the pet’s life tested such as gestation, lactation, growth, maintenance or the words “All Life Stages.”)

b. A nutrition or dietary claim for purposes other than those listed in subrules 42.2(11) and 42.2(12) if the claim is scientifically substantiated.

c. The statement: “This product is intended for intermittent or supplemental feeding only,” if a product does not meet either the requirements of subrules 42.2(11) and 42.2(12) or any other special nutritional or dietary need and so is suitable only for limited or intermittent or supplementary feeding.

d. The statement: “Use only as directed by your veterinarian,” if it is a pet food product intended for use by, or under the supervision or direction of a veterinarian and shall make a statement in accordance with paragraph 42.2(14) “a” or 42.2(14) “c.”

42.2(15) The use of claims on pet food labels stating improvement or newness shall be sufficiently substantiated by the manufacturer and limited to six months’ production. The use of claims stating preference or comparative attribute claims shall be sufficiently substantiated by the manufacturer and limited to one year’s production after which the claim must be removed or resubstantiated.

42.2(16) Dog and cat foods labeled as complete and balanced for any or all life stages as provided in 42.2(14) “a” except those pet foods labeled in accordance with paragraph 42.2(14) “d” shall list feeding directions on the product label. These directions shall be expressed in common terms and shall appear prominently on the label. Feeding directions shall, at a minimum, state “Feed (weight/unit of product) per (weight unit) of dog (or cat).”

42.2(17) A signed affidavit attesting that the product meets the requisites of 42.2(11) or 42.2(12) shall be submitted to the secretary upon request.

¹ To the extent that the product’s ingredients provide nutrients in amounts which substantially deviate from those nutrient requirements estimated by such a recognized authority on animal nutrition, or in the event that no estimation has been made by a recognized authority on animal nutrition of the requirements of animals for one or more stages of said animals’ lives, the product’s represented capabilities in this regard must have been demonstrated by adequate testing.