

How pet food is regulated

Introduction



Pet food in developed countries is regulated at every stage, from the ingredients used, through the production process and through to marketing and sales. Much of the legislation applies to pet food in the same way as it does to other product categories like, for instance, human food. Often more specific regulations cover both farm feed and pet food with specific legal provisions that are only applicable to pet food.

Additionally, the pet food industry within a country can be self-regulated through a series of industry Codes or Guidelines that provide detailed rules for practical implementation of legislation or establish rules in fields that are not regulated by law.

The objectives of legislation and self-regulation are to ensure that pet food products fulfil the nutritional need of pets, are safe for both animals and people and that the information to consumers is accurate and truthful. Wherever pet food is manufactured, it has to meet legal requirements established by the country or region in which it is sold.

The following sections describe the way pet food is regulated in the European Union and in the United States. Pet food provisions also exist in many other countries around the world.

European Union

Within the European Union (EU) there are three main legislative bodies - the EU Commission proposes legislation, the EU Parliament and Council of the European Union adopt legislation (co-decision). Implementing rules can be adopted in legislating committees chaired by the EU Commission and composed of Member States' representatives.

These bodies are responsible for developing and adopting all legislation concerning food and animal feed, including pet food. The EU Member States, on the other hand, are responsible for the implementation and control of correct application of the EU legislation. In EU legal texts, a

distinction is made between the term "food" which is reserved for foodstuffs for humans and "feed" which is designated to animal feeding stuffs, including pet food.

Pet food safety

Two laws set out the basic principles for food and feed safety: 'general food law' ([Regulation 178/2002](#))¹ – which also applies to feed, and 'feed hygiene' ([Regulation 183/2005](#))².



The Animal By-Products Regulations [1069/2009](#)³ and [142/2011](#)⁴ provide detailed rules on the safety of raw materials of animal origin used in pet food, their processing requirements (including pet food) and includes model health certificates for imports to the EU.

Regulation [999/2001](#)⁵ on protective measures against transmissible spongiform encephalopathies (TSE) lays down restrictions concerning specified risk materials, import/export restrictions and rules on processed animal proteins (meat meals).

Regulation [1831/2003](#)⁶ regulates the additives permitted in animal feed and, as applicable, their maximum limits. This means that all additives have to be evaluated on their safety and efficacy before being used in animal feed. All approved additives are listed in the [Register published by](#)

the [EU Commission](#).

Directive [2002/32](#)⁷ on undesirable substances in feed sets maximum limits for a number of contaminants (mycotoxins, heavy metals, dioxins etc.) with specifications for raw materials, finished feed and per animal species.

Labelling and Claims

Regulation [767/2009](#)⁸ provides rules for labelling, claims and other forms of marketing communication to make sure that the information provided to consumers is accurate and truthful. This regulation also provides for dietetic products [products for **particular nutritional purposes** (PARNUT)]. Directive [2008/38](#)⁹ lists all approved PARNUT indications and the specific conditions for the diets that are put on the market for each of those indications.

USA

In the United States, pet food is regulated by the U.S. Food and Drug Administration (FDA)¹⁰. While pet food makers and their suppliers have always been required to market safe products under the Federal Food Drug and Cosmetic Act (FD&CA) of 1938, pet food and treats are now also regulated under the Food Safety Modernization Act (FSMA)^{11,12,13}. Signed into law in 2011, FSMA amended FFDCA to set forth requirements for pet food manufacturers to comply with Current Good Manufacturing Practices, and identify potential safety hazard and subsequently establish preventive controls for those hazards. The focus for human and animal food under the law is prevention of illness, rather than reacting and correcting issues that arise. The law also provides FDA with the authority to conduct facility inspections to verify FSMA compliance; and to ensure imported foods meets U.S. food safety standards.

In addition, FDA has federal labelling requirements under FFDCA, such as net weight, Guaranteed Analysis of certain nutrients, and name and address of the manufacturer or distributor. While FDA has federal regulatory authority, pet food and treats are also typically regulated in individual states by their departments of agriculture. To

facilitate uniform interpretation and enforcement of state regulations, the majority of those states follow the model laws and regulations as set forth by the Association of American Feed Control Officials (AAFCO)¹⁴, an organisation of state and federal regulators. These models augment and complement the FDA regulations, covering many aspects of labelling not addressed at the federal level. AAFCO also sets nutrient standards for substantiation of nutritional adequacy and defines ingredients and specifies acceptable ingredient names. AAFCO is a private organisation, but all AAFCO members must be state or federal government officials.

Laws and regulations developed by AAFCO are not directly enforceable, because AAFCO is not a governmental institution, but AAFCO provides a forum whereby control officials, industry associations and consumer groups meet in partnership to address problems and provide guidance. AAFCO remains the recognised information source for pet food labelling, ingredient definitions, official terms and standardised feed testing methodology. This information is published annually in their [Official Publication](#). Feed control officials within each state inspect facilities and enforce these regulations.

GAPFA (Global Alliance of Pet Food Associations)

GAPFA brings together 15 national and regional pet food associations globally as well as corporate members with a focus on food for dogs and cats. GAPFA was officially established in November 2014 under Belgian law.

The GAPFA mission is to support the health and wellbeing of pets and to promote the benefits of living with them, by providing a forum for global industry consensus to address key mutual issues. Its vision is to be recognised as the global voice of the pet food industry. The focus of GAPFA is to harness the collective knowledge and experience of the global pet food industry with the objective to develop science-based global nutritional and safety standards which will provide reference and will facilitate trade of pet food.



Pet Food Institute (PFI)

The Pet Food Institute, whose members make 98% of all U.S. pet food and treat products, serves as the voice of U.S. pet food and treat makers. Founded in 1958, PFI provides factual information about pet food and treat safety, nutrition, and health to pet lovers, and advocates for a transparent, science-based regulatory environment for its members.

PFI is dedicated to advocating for legislation, regulations and technologies that support the domestic manufacture and global distribution of safe, quality pet food and that provide for consumer choice; promoting pet food safety innovation in manufacturing and handling practices; delivering information about issues impacting pet food makers, their suppliers and distributors, pet lovers and other relevant stakeholders; and communicating the benefits of pet ownership to the general public at large.

FEDIAF (European Pet Food Industry Federation)

Established in 1970, the Fédération Européenne de l'Industrie des Aliments pour Animaux Familiers (FEDIAF), the European Pet Food Industry Federation, represents the pet food industry in Europe and unites the national professional organisations of 26 European countries, whether or not belonging to the EU, via 18 national or regional pet food industry associations. FEDIAF represents around 650 companies responsible for producing more than 90% of European pet food. The national organisations represent manufacturers, packers and importers of prepared pet food, including foods for dogs, cats, birds, and other pets.

FEDIAF represents the European pet food industry in all external forums. Through its national Associations, FEDIAF also collaborates with local and national authorities. As a competent partner, FEDIAF cooperates with the European authorities to implement pet food law designed to ensure the manufacture and distribution of safe, nutritionally balanced and palatable pet food products. This has led to a development of **Self Regulation** in a form of three industry Codes, which have been recognised by the EU authorities. The 3 self-regulating FEDIAF Codes are the “[Guide to good practice for the manufacture of safe pet foods](#)”, the “[FEDIAF Code of good labelling practice for pet food](#)”, and the “[Nutrition guidelines for complete and complementary pet food for cats and dogs](#)”. Wherever possible, FEDIAF strongly encourages responsible dog and cat ownership.

National Research Council (NRC) Publications

The NRC was established by the National Academy of Sciences in 1916. It is not part of the United States government and is not an enforcement agency, but was expressly commissioned to provide advice to the U.S. government on scientific and technical matters. The activities of the NRC Committee on Animal Nutrition include the development of nutrient requirement standards for domestic and laboratory animals such as the *Nutrient Requirements of Dogs and Cats 2006*¹⁵, written by the *ad hoc* Committee on dog and cat nutrition. The 2006 NRC publication provides a thorough review of the scientific literature and makes recommendations for both the **minimum**

requirement and safe upper limit of intake of nutrients in healthy dogs and cats. Although the 2006 edition has added values of recommended allowances, nutrient availability and digestibility of pet foods processed with typical ingredients may still differ. While the publication is not used directly to establish regulatory standards for commercial pet foods, the recommendations contained in the NRC *Nutrient Requirements of Dogs and Cats* are considered by other organisations charged with that task (e.g., FEDIAF, AAFCO). It is an important source of research information on small animal nutrition, and is cited frequently in the scientific literature.

FEDIAF Nutrition Guidelines for Complete and Complementary Pet Food for Cats and Dogs

The Nutritional and Analytical Sciences Working Group of FEDIAF developed nutritional guidelines for cats and dogs, which are updated as soon as new scientific data become available. The objective is to provide practical nutrient recommendations for



pet food manufacturers when formulating products for healthy dogs and cats during adulthood, growth and reproduction, and to be the reference document on pet nutrition in Europe for EU and local authorities, consumer organisations, professionals, and customers. The guidelines use NRC recommendations and studies published by internationally recognised nutritionists, veterinarians and other researchers. AAFCO official publications are also taken in consideration. The nutrient levels take into account the (lower) energy requirements of household pets and, where possible, available data from practical pet foods. The FEDIAF Nutritional and Analytical Sciences Working Group cooperates with a Scientific Advisory Board of 10 leading nutritionists from different European universities.

Official Publication of the Association of American Feed Control Officials (AAFCO)

In 1990 and 1991, AAFCO established the Canine Nutrition Expert (CNE) and Feline Nutrition Expert (FNE) subcommittees. The CNE and FNE subcommittees were charged with updating practical nutrient profiles for both dog and cat foods based on commonly used ingredients¹⁶. The profiles are updated periodically, the last revision occurring in 2016. Under the AAFCO model regulations, meeting the AAFCO Dog and Cat Food Nutrient Profiles is one basis for substantiation of nutritional adequacy (complete and balanced) of a product for the designated life stage¹⁶. The alternative means of ensuring nutritional adequacy of a food is either to perform feeding trials according

to standardised feed testing methodology developed by AAFCO, or to formulate the product to meet the criteria as a member of a product family, i.e., a group of similar products whose lead member was demonstrated to be complete and balanced through passage of a feeding trial. All products sold as “complete and balanced” in the U.S.A. must substantiate nutritional adequacy through one of these methods, as no other nutritional authorities are recognised. Those that do not and are not prominently identified as a “snack,” “treat” or “supplement” must bear the statement “This product is intended for intermittent or supplemental feeding only.”

References

1. Regulation EC No 178/2002 Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety. OJ. L 031, 01 February 2002 p. 1-24.
2. Regulation EC No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene. OJ. L35. 8/02/2005, p. 1-21.
3. Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002. OJ L 300, 14.11.2009, 1–33.
4. Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive OJ L 54, 26.02.2011, p. 1-254.
5. Regulation EC No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies. OJ. L147, 31/5/2001, p. 1–40.
6. Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition. OJ. L 268, 18/10/2003 p. 29-43.
7. Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed - Council statement OJ L140, 30/05/2002, p. 10-22.
8. Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC ... OJ. L229, 1/09/2009, p. 1-28.
9. Commission Directive 2008/38/EC of 5 March 2008 establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes. OJ. L 62, 06 March 2008 p. 9-22.
10. FDA website: <http://www.fda.gov>
11. Dzanis DA. Are you ready for FSMA? The final rule has been published - is your company prepared for the changes? *Pet Food Industry.com*, October 12, 2015.
12. Dzanis DA. Understanding regulations affecting pet foods. *Top Companion Anim. Med.* 2008; 23 (3): 117-120.
13. Phillips-Donaldson D. 6 things you need to know about FSMA pet food safety rule. - The FSMA animal feed preventive control rule goes into effect November 17. *Pet Food Industry.com*, October 9, 2015.
14. AAFCO Website: <http://www.aafco.org/>
15. National Research Council. Nutrient Requirements of Dogs and Cats. Washington, DC: National Academy Press, 2006.
16. Association of American Feed Control Officials. Official Publication 2015.