

12 KAR 3:027. Ingredients.

RELATES TO: KRS 250.501, 250.521

STATUTORY AUTHORITY: KRS 250.521(1)(c), 250.571(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 250.571(1) authorizes the Director of the Agricultural Experiment Station to promulgate administrative regulations necessary for efficient enforcement of KRS 250.491 to 250.631. KRS 250.521(1)(c) requires that a commercial feed label list the common or usual name of each ingredient used in the manufacture of a commercial feed, unless the director promulgates an administrative regulation permitting the use of a collective term for a group of ingredients. This administrative regulation establishes the required format for listing ingredients on the label of pet foods and specialty pet foods.

Section 1. Each ingredient of a pet food or specialty pet food shall be listed in the ingredient statement as established in subsections (1) through (4) of this section.

(1) The names of all ingredients in the ingredient statement shall be shown in letters or type of the same size, style, and color.

(2) The ingredients shall be listed in descending order by their predominance by weight in non-quantitative terms.

(3) Ingredients shall be listed and identified by the name and definition established by AAFCO.

(4) Any ingredient for which no name and definition have been so established shall be identified by the common or usual name of the ingredient.

Section 2. The ingredients "meat" or "meat by-products" shall be qualified to designate the animal from which the meat or meat by-products are derived unless the meat or meat by-products are derived from cattle, swine, sheep, goats, or any combination thereof. For example, ingredients derived from horses shall be listed as "horsemeat" or "horsemeat by-products".

Section 3. Brand or trade names shall not be used in the ingredient statement.

Section 4. The quality, nature, form, or other attribute of an ingredient may be referenced if:

(1) The designation is not false or misleading;

(2) The ingredient imparts a distinctive characteristic to the pet food or specialty pet food because it possesses that attribute; and

(3) A reference to quality or grade of the ingredient does not appear in the ingredient statement.

Section 5. Incorporation by Reference. (1) "2018 Official Publication", (2018 Edition), Association of American Feed Control Officials, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of Regulatory Services, 103 Regulatory Services Building, College of Agriculture, University of Kentucky, Lexington, Kentucky 40546-0275, Monday through Friday, 8 a.m. to 4:30 p.m. (AES-2 (1973)-PF 5; 1 Ky.R. 1003; eff. 6-11-1975; Am. 23 Ky.R. 1617; eff. 1-10-1997; 25 Ky.R. 899; 2363; eff. 4-14-1999; 45 Ky.R. 114, 631; eff. 9-28-2018.)