

Home Manufactured Pet Foods/Treats



What You Need To Know



*VIRGINIA DEPARTMENT
OF AGRICULTURE AND
CONSUMER SERVICES*

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INTRODUCTION

An increasing number of individuals are entering into the business of making pet treats from their home or from a small business kitchen. In Virginia, there are licensing and labeling requirements for the manufacturing and sale of these treats. For the protection of you as the manufacturer, for the safety of the purchaser, and for the safety of our pets, it is important that these requirements are met.

The requirements include obtaining a license to manufacture and registration of individual products **before** the products are offered for sale in Virginia, a laboratory analysis of the product(s) and developing a product label that meets specific requirements. Disregarding these requirements can have serious consequences on the business including additional fees or penalties and the removal of products from distribution.

Guidelines and laws concerning the manufacturing and sale of feed and treats for livestock and companion animals (pets) in Virginia are covered by the Virginia Commercial Feed Law and corresponding regulations. Feed and treats in individual packages of 10 pounds or less are considered small package commercial feeds under the law. Recommendations from the Association of American of Feed Control Officials (AAFCO) are also followed as long as these recommendations are not in conflict with Virginia law.

Staff members in the Virginia Department of Agriculture and Consumer Services, Office of Plant Industry Services are available to assist you with the licensing and product registration requirements and the review for acceptance of proposed labels for products being developed.

INSPECTIONS

The Virginia Commercial Feed Law does **not** require on-site inspections of kitchens or processing facilities being used for a home-manufactured pet feed/treat business prior to the sale of your products. However, Good Manufacturing Practices must be followed in the preparation of your products and our Field Compliance Officers may inspect and sample your products at any time as well as inspect the facility where these products are manufactured. Any samples collected will be analyzed to ensure product safety and truth in labeling.

LOCAL LICENSES

Always check with your local city or county health departments, Commissioner of Revenue or Treasure's office to determine if there are other requirements or licenses needed for you to manufacture and/or sell products where you live.

VIRGINIA COMMERCIAL FEED LICENSE

Before offering your products for sale in the Commonwealth, you must obtain a Virginia Commercial Feed License through the Virginia Department of Agriculture and Consumer Services, Office of Plant Industry Services.

Products such as pet food and treats for animals including dogs, cats, rabbits and horses are covered under the definition of a small package commercial feed. The Commercial Feed License is renewed annually at a cost of \$50.00 and covers the period of January 1 through December 31 of each year. Application packets may be submitted at any time during the year for review and acceptance. However, the law does not include a provision for a pro-rated license fee.

The license application is available for download on our agency website at <http://www.vdacs.virginia.gov/pdf/reg-feed.pdf>.

PRODUCT REGISTRATIONS

As mentioned earlier, pet foods and treats in individual packages of 10 pounds or less are considered small package commercial feeds under the Virginia Commercial Feed Law.

If you plan to sell your products loose and unpackaged (considered as bulk) your products would not be subject to individual product registration. However, the annual Virginia Commercial Feed License is required and you will be responsible for paying an annual tonnage fee of \$0.07/ton on your total sales (\$35.00 minimum). The same labeling and analysis requirements still apply if you market your products in this manner.

If your products are offered for sale to the consumer pre-packaged (i.e.: 4 oz bag, 8 oz bag, 1 lb. box, 3 each per bag, dozen per box, etc.) registration is required. Also,

each different ‘flavor’ of your product will require a separate registration. A rule of thumb: if there are different ingredients in the products or a different name for the product, each product requires registration. The annual registration fee per product is \$50.00. Registration application packets may also be submitted at any time during the year for review and acceptance. As with the license fee, the law does not include a provision for pro-rated product registration fees. The application can also be found on our agency website at <http://www.vdacs.virginia.gov/pdf/reg-feed.pdf>.

PRODUCT REGISTRATION EXAMPLE

If your products are different in brand name, ingredients or in guaranteed analysis, you must register each product. Additional package sizes for the **same** brand name do not require registration. For instance, you are making three flavors of dog treats - **beef**, **chicken** and **cheese** – and want to make them in three sizes - a **small**-sized biscuit [for little dogs], a **medium**-sized biscuit [for average size dogs] and a **large**-sized biscuit [for big dogs], and you want to package them in 8 oz. and 1 lb. packages. You would need to register the following brand names as a total of nine (9) products as shown:

1. **Beef** Treats for **Small** Dogs
2. **Chicken** Treats for Small Dogs
3. **Cheese** Treats for Small Dogs
4. **Beef** Treats for **Medium** Dogs
5. **Chicken** Treats for Medium Dogs
6. **Cheese** Treats for Medium Dogs
7. **Beef** Treats for **Large** Dogs
8. **Chicken** Treats for Large Dogs
9. **Cheese** Treats for Large Dogs

The total registration fee for the above products would be \$450.00 (9 products @ \$50 each = \$450.00).

If you do not include the size indicator (small, medium, large, etc.) in the brand name, you only need to register each flavor of treat (in this case three). Then the total registration fee would be \$150.00 for three treat brands. You may include a feeding recommendation for animal size on your label. See example label...



Beef Treats for Dogs

Ingredient Statement

Wheat flour, corn gluten meal, beef by-products, salt, dicalcium phosphate

Guaranteed Analysis

Crude Protein (min.).....22.00%

Crude Fat (min.).....10.00%

Crude Fiber (max.).....6.0%

Moisture (max.)12.00%

Feed as a snack or treat

Sized for Small Dogs!!!

Susie's Treat Shoppe

Puppyville, VA 12345

Net Weight - 8 oz. (227 g.)

LABELING GUIDELINES

The Virginia Commercial Feed Law and the Model Pet Food Regulations of the Association of American Feed Control Officials (AAFCO) require each package of food, snacks or treats for pets (dogs and cats) or specialty pets (animals normally kept in a cage such as hamsters, parakeets, reptiles or fish) to have a label printed on or affixed to the package. This includes pet foods and treats produced by a home-based business. The minimum information required either on your labels or in a handout available for purchasers includes:

- **Brand Name** - Bucky's Biscuit Bits, Krazy Kitty Krunchies, etc.
- **Intended species** - Dog, cat, horse, etc. the treat is made for must be in words on the front of the label if not a part of the brand name. A picture is not sufficient to meet this requirement.
- **Quantity statement** - must be expressed as weight for solid products (avoirdupois) or volume for liquid products in U.S. measures followed by the metric equivalent.
Example: Net weight 8 oz. (227 g). For treats, the quantity may be expressed by count (example: 4 bones, 6 cakes, ½ dozen biscuits, etc.)
- **Ingredient statement** - A continuous list of each approved ingredient using the name of the ingredient adopted by AAFCO. Ingredients shall be listed in descending order of predominance by weight. If there is no designated name

adopted by AAFCO, use the common name of the product such as ‘sugar’, ‘butter’, etc.

- **Guaranteed analysis** – This must include the correct heading and include (at a minimum) the following components stated in the order and in the manner listed below:

Guaranteed Analysis:

Crude protein (min) -- XX%;

Crude fat (min) -- XX%;

[Crude fat (max) if labeled as ‘low or reduced’ fat. -- XX%];

Crude fiber (max) --- XX%;

Moisture (max) --- XX%.

- **Nutritional adequacy statement** - If the product is clearly identified on the front label as a snack or treat, a nutrition statement or purpose statement is not required. We recommend that a statement such as “Feed as a snack or treat.” or “For intermittent or supplemental feeding only.” be included for informational purposes.
- **Manufacturer/Guarantor** - As the manufacturer or guarantor of the product, your **name and mailing address** is required to be on the label. For safety reasons, we recommend that you obtain a Post-office box if your business is not listed in a local telephone directory. If listed, only the business name, city, state and zip are required for contact information. A telephone number may be included but is not required.

GUARANTEED ANALYSIS

To meet the label requirement for a guaranteed analysis, each treat must be submitted to a private laboratory for analysis.

It is your responsibility to contact a private laboratory for submission procedures and testing costs for your products. Most private laboratories are listed in local telephone directories or through an internet search. The AAFCO website has additional information on laboratories that can be found at <http://petfood.aaftco.org/>.

The Virginia Department of Agriculture and Consumer Services does not make any endorsement of one laboratory over another.

REFERENCES

There are numerous resources available through the internet that will assist you in beginning and expanding your new business.

The complete text of the Virginia Commercial Feed Law is on our agency website at www.vdacs.virginia.gov under “Plant, Pest, Feed, Fertilizer and Seed.” Select “Feed, Fertilizer & Seed” and choose the option “Commercial Animal Feed”.

The website of the Association of American Feed Control Officials has extensive information (www.aafco.org) under the link titled “Industry”. This link is located on the upper right corner of their website.

The U.S. Food and Drug Administration (FDA) also has several information bulletins on their website at www.fda.gov. Two that may be of particular help in pet treat rules and regulations are:

<https://www.fda.gov/animalveterinary/resourcesforyou/ucm047107.htm> -

Information on Marketing a Pet Food Product, and

<http://www.fda.gov/cvm/petlabel.htm> - Interpreting Pet Food Labels.



EXAMPLES

Below is a product label that has all required information for a home-made pet treat. Labels do not have to be professionally designed, but all required information must be included before your license and product registration applications will be accepted.

Bucky's Biscuit Bits
A howlin' good treat for your best friend



Liver & Beef Flavored Dog Treats
For Medium Dogs

Ingredients:
Whole wheat flour, freeze dried liver, beef broth.

Guaranteed analysis:
Crude Protein (min) 12%; Crude Fat (min) 6%; Crude Fiber (max) 3%;
Moisture (max) 10%.

Keep refrigerated to maintain freshness for up to two weeks.
FEED AS A SNACK OR TREAT. NOT A COMPLETE FOOD.

Net wt: 8 oz (227 g)
Bucky's Bakery, Barkville, VA 12345-6789 buckedog@email.net

If you are making a product that would be considered a complete food (one that meets all the nutritional requirements for the animal), additional details are required on the label. Information for those requirements can be found on the AAFCO website (www.aaftco.org) under their heading of "Publications" in the document Pet Food Labeling Guide.



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