Feed Committee
Report to NGFA Board of Directors
September 2024

I. Key Issues

A. U.S. Food and Drug Administration (FDA) Policy

B. Association of American Feed Control Officials (AAFCO) Initiatives

C. Feed Education and Training

II. Committee Activities

A. FDA Policy

- **Animal Food Ingredient Approvals with Certain Claims:** NGFA continues to seek passage within Congress of the bipartisan Innovative Feed Enhancement and Economic Development (Innovative FEED) Act (H.R.6687 and S.1842) that would create a new FDA regulatory approval pathway for substances added to animal food or drinking water that affect the microbiome of the animal, influence the byproducts of digestion, or reduce pathogens in human food products derived from the animal.

- **Proposed Rule for Medicated Feed Labeling:** NGFA on Aug. 9 submitted comments in response to FDA's proposed rule that would significantly expand content requirements for medicated feed labeling. In its statement, NGFA made a variety of recommendations and ultimately urged FDA to further engage with medicated feed stakeholders before issuing any final regulations.

- **Role of Grain, Feed as Vectors for Foreign Animal Diseases, ASF Virus:** NGFA continues to participate in the U.S. Swine Health Improvement Plan (US SHIP) Feed Biosecurity Working Group. US SHIP is a U.S. Department of Agriculture (USDA) Veterinary Services sponsored collaborative effort involving industry, state and other federal partners, including FDA, organized to develop voluntary standards to mitigate risks of introducing swine diseases into the United States.

  The Feed Biosecurity Working Group currently is exploring the feasibility of a Safe Feed Import Program for ingredients sourced from African Swine Fever (ASF)/Classical Swine Fever (CSF)-virus endemic regions to minimize the risk of potential viruses that may be present in products. The proposed program would create a rating system for imported ingredients based on certain criteria, including traceability, biosecurity at the country of origin, biosecurity upon arrival, and ingredient quarantine.

- **Expiration of FDA-AAFCO MOU**: FDA on Aug. 2 officially announced the Memorandum of Understanding (MOU) between FDA and AAFCO that currently facilitates AAFCO feed ingredient definitions and outlines the two organizations' responsibilities within the process will not be renewed when it expires on Oct. 1, 2024. On Aug. 8, FDA released draft guidance documents regarding the transition phase after the expiration of the MOU that: 1) explain FDA's intent to not initiate

enforcement action in response to the interstate marketing of animal food ingredients that are listed in the ingredient definition chapter of the 2024 AAFCO Official Publication; and 2) describe an interim process through which firms may engage with FDA regarding ingredients that may have otherwise used the AAFCO ingredient definition process. NGFA will be submitting comments on the draft guidances by the Sept. 9 deadline.

- **Future Rulemakings and Guidance:** Future anticipated FDA policy actions for 2024-25 include: 1) changes to certain customer assurance provisions within the Food Safety Modernization Act (FSMA)-related human and animal food rules; 2) proposed revisions to FDA's definition for "farm"; 3) final guidance for human food by-products used as animal food; 4) new mycotoxin regulatory guidance for zearalenone; and 5) guidance on production claims for nutritive animal foods.

B. AAFCO Initiatives

- **AAFCO Annual Meeting:** Members of the Committee and NGFA staff serve as industry advisers to AAFCO and participated within the Association's 2024 Annual Meeting conducted Aug. 7-9 in San Antonio, Texas. AAFCO's actions are significant because most states adopt AAFCO model regulations and policies within their commercial feed regulatory frameworks. Among the topics addressed during the meeting were:

  – **Ingredient Definition Process:** In response to the upcoming expiration of the FDA-AAFCO MOU, AAFCO voted to explore the concept of establishing an alternate expert panel for the scientific review of new feed ingredients, and continuing to approve new ingredient definitions that states may recognize within their feed laws.

  – **Feed Lot Numbers:** The Feed Labeling Committee voted to approve model regulations that would establish requirements to include a "lot identifier" on the labels, invoices or other documents accompanying commercial feeds in distribution to facilitate recalls and accurate tracing of the manufacturing and distribution history of the product. The new model regulations will be further considered within the AAFCO Model Bill and Regulations Committee.

- **Pet Food Regulatory Oversight:** Legislation drafted by the Pet Food Institute (PFI) was introduced in the House (H.R. 7380) on Feb. 15 that would federalize regulatory oversight of dog and cat food products, and prohibit any state from directly or indirectly enforcing any authority or requirements related to marketing or labeling of such products. Currently, regulatory oversight of dog and cat food products (and animal feed) is primarily conducted by state departments of agriculture and offices of the state chemist. NGFA does not anticipate congressional action being taken on the bill.

C. Feed Education and Training

- **Animal Food Preventive Controls Course:** NGFA partnered with Kansas State University on Aug. 27-29 to deliver the Food Safety Preventive Controls Alliance

(FSPCA) Preventive Controls for Animal Food Course to educate attendees about FDA feed safety requirements. Registration information for another course scheduled for Nov. 5-7, 2024 is available on NGFA's website.

- **Feed Distance Learning Courses**: NGFA in March launched five feed distance learning courses that address feed safety and operations issues. Each course is delivered 100 percent on-line, self-paced, interactive, and accessible at any time. More information about the courses is available within the Training section of NGFA's website.

III. Issues for Discussion

- Are there other federal/state feed issues NGFA should address?
- Are there other feed training/education initiatives which NGFA should consider?

IV. Other Committee Activities during March 2024 through Sept. 2024

- Meeting of the Codex Committee on Residues of Veterinary Drugs in Foods.
- Monthly meetings of the Food Industry Codex Coalition.
- Quarterly meetings of FDA's Partnership for Food Protection Stakeholder Forum.
- Meetings of the Animal Agriculture Coalition that supports federal funding of animal agriculture research, education, and biosecurity needs, and reviews pertinent legislative and regulatory proposals.