Requirements for Selling Pet Foods in New Hampshire

“Feed” is defined as an edible material that is consumed by animals and contributes energy and/or nutrients to the animals’ diet. The state of New Hampshire, as most states do, regulates the labeling of commercial feeds for animals. Commercial feeds include pet foods and treats. Specific label requirements for pet foods have been developed by the Association of American Feed Control Officials (AAFCO). Those requirements have been adopted in the laws and rules of the New Hampshire Department of Agriculture, Markets & Food.

There are two primary requirements to sell pet food products, product labeling and registration. The requirements are contained in the NH Commercial Feed Law, RSA 435:17-35 and in the Administrative Rules of the Department, Chapter Agr 1200. Part Agr 1203 of the rules contains the specific requirements for Pet Food, including pet treats. Manufacturers should obtain a copy of the law and rules for the full details of the requirements. This publication summarizes the labeling and registration (backside) requirements for pet foods, including treats.

**LABELING**

Consumer packages of pet food must list 6 essential label elements. The principal display panel (PDP) is that portion of the label most likely to be displayed or examined under normal conditions for retail sale and must contain the following information:

1. **Product Name and purpose** - These rules address the use of ingredient names in the product name. You should also specify the purpose of the product (nutrition, supplement, or treat).

2. **Net Content Statement** - Statement needs to be in conformance with the US Fair Packaging and Labeling Act. It must be placed on the bottom third of the PDP.

3. **Name of the animal species of product is for** - Must be conspicuously designated in words on the PDP, but may be include in the product name.

The following required information need not be placed on the PDP, but must be easily readable by the purchaser under ordinary conditions of sale:

4. **Guaranteed Analysis** (on as “as fed” basis)
   - Crude Protein - Minimum %
   - Crude Fat - Minimum %
   - Crude Fiber - Maximum %

   Moisture - Maximum %
   (Additional guarantees for vitamins and minerals may be listed after moisture.)

5. **Calorie Content Statement** - The statement must be separate and distinct from the “Guaranteed Analysis” and appear under the heading “Calorie Content”. The statement must be measured in terms of metabolizable energy (ME) on an “as fed” basis and must be expressed both as “kilocalories per kilogram (kcal/kg) of product, and as kilocalories per familiar household measure (e.g. cans or cups) or unit of product (e.g. treats or pieces).

6. **Ingredient Statement** - All ingredients used must be listed. The ingredients used must be GRAS, approved food additives, or sanctioned for use in animal feeds (defined by AAFCO). The listing shall be in declining order of predominance by weight. The terms used for the ingredients must be the usual and ordinary name of the ingredient with no reference to quality, grade or brand name.

7. **Manufacturer Information** – The name and address of the manufacturer, packer or distributor is required. If the name is listed in a current city or telephone directory then the street address may be omitted.
REGISTRATION

New Hampshire law requires that each brand of feed or pet food be registered annually with the department. The purpose of registration is to assure that products distributed in this state are labeled properly and formulated safely.

Forms are available from the department on which to apply for registration and must be accompanied by product labels and a registration fee. The annual registration fee is $75 per product and is due by January 1st.

Registration in New Hampshire allows the product to be sold or distributed in this state, however, if products are offered for sale in other states, the receiving state may require registration as well. All of the New England states require product registration. Some states do not register products but rather require a firm license. They may also require tonnage reports and fees.

Distributors should check with the feed control official in the state they intend to market into for the registration, reporting and/or licensing requirements.

Any questions about the labeling or registration requirements for feeds should be directed to the Division of Regulatory Services.

Granite State

Dog Biscuits

A Snack for Dogs

Guaranteed Analysis:
Crude Protein (min.) 5%
Crude Fat (min.) 16%
Crude Fiber (max.) 1%
Moisture (max.) 10%

Calorie Content: ME (calculated, as fed): 323 kcal/kg


Manufactured by: Granite State Pet Products, PO Box 99, Granite, NH 03000

Net Wt. 1.5 oz. (43g.)