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**Rules of**  
**Department of Agriculture**  
**Division 70—Plant Industries**  
**Chapter 31—Pet Food**

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**Title 2—DEPARTMENT OF  
AGRICULTURE**

**Division 70—Plant Industries  
Chapter 31—Pet Food**

**2 CSR 70-31.010 Definitions and Terms**

*PURPOSE: This rule describes terms used in regulating pet foods.*

(1) Principal display panel—The part of a label that is most likely to be displayed, presented, shown or examined under normal and customary conditions of display for retail sale.

(2) Ingredient statements—A collective and contiguous listing on the label of the ingredients of which the pet food is composed.

(3) Immediate container—The unit, can, box, tin, bag or other receptacle or covering in which a pet food is displayed for sale to retail purchasers, but does not include containers used as shipping containers.

*AUTHORITY: section 266.195, RSMo (1986). Original rule filed Jan. 16, 1975, effective Feb. 1, 1975.*

**2 CSR 70-31.020 Pet Food Label Format and Labeling**

*PURPOSE: This rule specifies the information required on the label.*

*Editor's Note: The following material is incorporated into this rule by reference:*

1) *Association of American Feed Control Officials, 1995 Officials Publication Association of American Feed Control Officials Incorporated (Atlanta, GA: Georgia Department of Agriculture Plant Food, Feed and Grain Division, 1995);*

2) *Office of the Federal Register National Archives and Records Administration, Code of Federal Regulations Title 21 part 501 (Washington: U.S. Government Print Office 1995).*

*In accordance with section 536.031(4), RSMo, the full text of material incorporated by reference will be made available to any interested person at the Office of the Secretary of State and the headquarters of the adopting state agency.*

(1) The quantity statement and product name must be shown on the principal display panel. All other required information may be placed elsewhere on the label but shall be sufficiently conspicuous as to render it easily read by

the average purchaser under ordinary conditions of purchase and sale.

(2) The quantity statement shall be made in conformity with the 2 CSR 70-31.024.

(3) The information which is required to appear in the Guaranteed Analysis shall be listed in the following order:

- (A) Crude protein (minimum percentage);
- (B) Crude fat (minimum percentage);
- (C) Crude fiber (maximum percentage);
- (D) Moisture (maximum percentage); and
- (E) Additional guarantees shall follow moisture.

(4) The label of a pet food shall specify the name and address of the manufacturer, packer or distributor of the pet food. The statement of a place of business should include the street address, if any, of that place unless the street address is shown in a current city directory or telephone directory.

(5) If a person manufactures, packages or distributes a pet food in a place other than the principal place of business, the label may state the principal place of business in lieu of the actual place where each package of the pet food was manufactured or packaged or is to be distributed if the statement is not misleading in any particular.

(6) A vignette, graphic or pictorial representation of a product on a pet food label shall not misrepresent the contents of the package.

(7) The use of the word "proven" in connection with label claims for a pet food is improper unless scientific or other empirical evidence establishing the claim represented as "proven" is available.

(8) No statement shall appear upon the label of a pet food which makes false or misleading comparisons between that pet food and any other pet food.

(9) Personal or commercial endorsements are permitted on pet food labels where the endorsements are factual and not otherwise misleading.

(10) When a pet food is enclosed in an outer container or wrapper which is intended for retail sale, all required label information must appear on the outside wrapper or container.

(11) The word "dog food," "cat food" or similar designations must appear conspicuously upon the principal display panels of the pet food labels.

(12) The label of a pet food shall not contain an unqualified representation or claim, directly or indirectly, that the pet food contained, or a recommended feeding of the pet food is, or meets the requisites of, a complete, perfect, scientific or balanced ration for dogs or cats unless the product or feeding contains—

(A) Ingredients in quantities sufficient to meet the nutrient requirements for all life stages established by the AAFCO Dog or Cat Food Nutrient Profiles, as the case may be, or some other AAFCO-recognized authority on animal nutrition; or

(B) A combination of ingredients which, when fed to a normal animal as the only source of nourishment, in accordance with the testing procedures established by AAFCO, meets the criteria of such testing procedures for all life stages.

(13) Labels for products which are compounded for or which are suitable for only a limited purpose (for example, a product designed for the feeding of puppies) may contain representations that the pet food product, or recommended feeding is, or meets the requisites of, a complete, perfect scientific or balanced ration for dogs or cats only—

(A) In conjunction with a statement of the limited purpose for which the product is intended or suitable (as for example, in the statement a complete food for puppies). These representations and required qualifications shall be juxtaposed on the same panel and in the same size, style and color print; and

(B) Qualified representations may appear on pet food labels only if—

1. The pet food contains ingredients in quantities sufficient to meet the nutrient requirements established by the AAFCO Dog or Cat Food Nutrient Profiles, as the case may be, or some other AAFCO-recognized authority on animal nutrition, for such limited or qualified purpose; or

2. The pet food product contains a combination of ingredients which when fed for limited purpose will satisfy the nutrient requirements for that limited purpose and has had its capabilities in this regard demonstrated by adequate testing.

(14) Except as specified by 2 CSR 70-31.030, the name of any ingredient which appears on the label other than in the product name shall not be given undue emphasis so as to create the impression that this ingredient is present in the product in a larger amount than is the fact, shall constitute at least three percent (3%) of the total ingredients (exclusive of water sufficient for processing) when

preceded by the designation “with” or like term, shall be in the same size, style, and color print and if the names of more than one (1) such ingredient are shown, they shall appear in the order of their respective pre-dominance by weight in the product.

(15) The label of a dog or cat food (other than one prominently identified as a snack or treat as part of the designation required upon the principal display panel under section (11)) shall bear, on either the principal display panel or the information panel (as those terms are defined in *21 Code of Federal Regulations* 501.1 and 501.2 respectively), in type of a size reasonably related to the largest type on the panel, a statement of the nutritional adequacy or purpose of the product. This statement shall consist of one (1) of the following:

(A) A claim that the pet food meets the requirements of one (1) or more of the recognized categories of nutritional adequacy: gestation, lactation, growth, maintenance and complete for all life stages, as those categories are set forth in sections (12) and (13). The claim shall be stated as one (1) of the following:

1. (Name of product) is formulated to meet the nutritional levels established by the AAFCO Dog (or Cat) Food Nutrient Profiles for \_\_\_\_\_. (Blank is to be completed by using the stage(s) of the pet’s life, such as, gestation, lactation, growth, maintenance or the words “All Life Stages.”)

2. Animal feeding tests using AAFCO procedures substantiate that (Name of Product) provides complete and balanced nutrition for \_\_\_\_\_. (Blank is to be completed by using the stage(s) of the pet’s life tested, such as, gestation, lactation, growth, maintenance or the words “All Life Stages.”)

(B) A nutrition or dietary claim for purposes other than those listed in sections (12) and (13) if the claim is scientifically substantiated;

(C) The statement: “Use only as directed by your veterinarian,” if it is a pet food product intended for use by or under the supervision or direction of a veterinarian and shall make a statement in accordance with subsection 15(A) or (15)(D).

(D) The statement: “The product is intended for intermittent or supplemental feeding only,” if a product does not meet either the requirements of sections (12) and (13) or any other special nutritional or dietary need and so is suitable only for limited, intermittent or supplementary feeding.

(16) The use of claims on pet food labels stating improvement or newness shall be suffi-

ciently substantiated by the manufacturer and limited to six (6) months production. The use of claims stating preference or comparative attribute claims shall be sufficiently substantiated by the manufacturer and limited to one (1) year production after which the claim must be removed or resubstantiated.

(17) Dog and cat foods labeled as complete and balanced for any or all life’s stages as provided in subsection (15)(A) except those pet foods labeled in accordance with subsection (15)(C) shall list feeding directions on the product label. These directions shall be expressed in common terms and shall appear prominently on the label. Feeding directions shall, at a minimum, state “Feed (weight/unit of product) per (weight unit) of dog (or cat).”

*AUTHORITY: section 266.195, RSMo (1994). \* Original rule filed Jan. 16, 1975, effective Feb. 1, 1975. Amended: Filed Sept. 15, 1976, effective Dec. 11, 1976. Amended: Filed May 13, 1986, effective Sept. 1, 1986. Amended: Filed Oct. 20, 1995, effective June 30, 1996.*

*\*Original authority 1972, amended 1993, 1995.*

**2 CSR 70-31.024 Declaring Net Contents**

*PURPOSE: This rule standardizes packaging and labeling of contents consistent with the Association of American Feed Control Officials and other states.*

(1) The listing of net contents shall be last on the principal display panel of a pet food container. The listing of net contents in all other regards, i.e., style of lettering, color contrast, free area, parallel quantity, calculation of area of principal display panel for purposes of type size, minimum height of numbers and letters, and numbers and letters proportion, shall comply with 2 CSR 90-22.140 of the Missouri Law Governing Weights and Measures and Weighting and Measuring Devices.

*AUTHORITY: section 266.195, RSMo (Supp. 1995). \* Original rule filed Aug. 16, 1976, effective Nov. 11, 1976. Rescinded and readopted: Filed Oct. 20, 1995, effective June 30, 1996.*

*\*Original authority 1972, amended 1993, 1995.*

**2 CSR 70-31.025 Nutritional Standards as a Guide to Use in Labeling Pet Foods**  
(Rescinded June 30, 1996)

**2 CSR 70-31.030 Pet Food Brand and Product Names**

*PURPOSE: This rule sets limits on advertising used in a pet food name.*

(1) No flavor designation shall be used on a pet food label unless the designated flavor is detectable by a recognized test method or is one of which the presence provides a characteristic distinguishable by the pet. Any flavor designation on a pet food label must either conform to the name of its source as shown in the ingredient statement or the ingredient statement shall show the source of the flavor. The word flavor shall be printed in the same size type and with an equal degree of conspicuousness as the ingredient term(s) from which the flavor designation is derived. Distributors of pet food employing this flavor designation or claims on the labels of the product distributed by them, upon request, shall supply verification of the designated or claimed flavor to the appropriate control official.

(2) The designation “100%” or “All” or words of similar connotation shall not be used in the brand or product name of a pet food if it contains more than one (1) ingredient. However, for the purpose of this provision, water sufficient for processing, required decharacterizing agents and trace amounts of preservatives and condiments shall not be considered ingredients.

(3) The term “meat” and “meat by-products” shall be qualified to designate the animal from which the meat and meat by-products are derived unless the meat and meat by-products are from cattle, swine, sheep and/or goats. An example would be horse meat and horse meat by-products.

(4) The name of the pet food shall not be derived from one (1) or more ingredients of a mixture of a pet food product unless all components or ingredients are included in the name except as specified by 2 CSR 70-31.030 (1), (5) or (6); provided, that the name of an ingredient or combination of ingredients may be used as a part of the product name if—

(A) The ingredient or combination of ingredients is present in sufficient quantity to impart a distinctive characteristic to the product or is present in amounts which have a material bearing upon the price of the product or upon acceptance of the product by the purchaser;

(B) It does not constitute a representation that the ingredient or combination of ingredients is present to the exclusion of other ingredients; or

(C) It is not otherwise false or misleading.

(5) When an ingredient or a combination of ingredients derived from animals, poultry or fish constitutes ninety-five percent (95%) or more of the total weight of all ingredients of a pet food mixture, the name or names of these ingredient(s) may form a part of the product name of the pet food; provided, that where more than one (1) ingredient is part of the product name then all these ingredient names shall be in the same size, style and color print. For the purpose of this provision, water sufficient for processing shall be excluded when calculating the percentage of the named ingredient(s). However, the named ingredient(s) shall constitute at least seventy percent (70%) of the total product.

(6) When an ingredient or combination of ingredients constitutes at least twenty-five percent (25%) but less than ninety-five percent (95%) of the total weight of all ingredients of a dog or cat food mixture, the name(s) or names of the ingredient(s) may form a part of the product name of the pet food if each of the ingredients constitute at least three percent (3%) of the product weight excluding water used for processing and only if the product name also includes a primary descriptive term, such as “dinner,” “platter” or similar designations, so that the product name describes the contents of the product in accordance with an established law, custom or usage or so that the product name is not misleading. If the names of more than one (1) such ingredient are shown they shall appear in the order of their respective predominance by weight in the product. All such ingredient names and the primary descriptive terms shall be in the same size, style and color print. For the purpose of this provision, water sufficient for processing shall be excluded when calculating the percentage of the named ingredient(s). However, such named ingredient(s) shall constitute at least ten percent (10%) of the total product.

(7) Contractions or coined names referring to ingredients shall not be used in the brand name of a pet food unless it is in compliance with 2 CSR 70-31.030(1), (4), (5) or (6).

*AUTHORITY:* section 266.195, RSMo (1994). \* Original rule filed Jan. 16, 1975, effective Feb. 1, 1975. Amended: Filed May, 13, 1986, effective Sept. 1, 1986. Amended: Filed Oct. 20, 1995, effective June 30, 1996.

\*Original authority 1972, amended 1993, 1995.

## 2 CSR 70-31.040 Expression of Guarantees in a Pet Food

*PURPOSE:* This rule establishes a uniform method of expressing guarantees.

*Editor's Note:* The following material is incorporated into this rule by reference:

1) Association of American Feed Control Officials, 1995 Official Publication Association of American Feed Control Officials Incorporated (Atlanta, GA: Georgia Department of Agriculture Plant Food, Feed and Grain Division, 1995).

In accordance with section 536.031(4), RSMo, the full text of material incorporated by reference will be made available to any interested person at the Office of the Secretary of State and the headquarters of the adopting state agency.

(1) The sliding scale method of expressing a guaranteed analysis (for example protein 15—18%) is prohibited.

(2) Pursuant to section 266.170(1)(c), RSMo the label of a pet food which is formulated as, and represented to be, a mineral supplement shall include in the guaranteed analysis the minimum and maximum percentages of calcium, the minimum percentage of phosphorus and the minimum and maximum percentages of salt. The minimum content of all other essential nutrient elements recognized by the AAFCO Dog or Cat Food Nutrient Profile or other AAFCO-recognized nutrient profile from sources declared in the ingredient statement shall be expressed as the element and units specified in the recognized nutrient profile. Products labeled as per rule 2 CSR 70-31.020(2) may express the mineral guarantees in milligrams (mg) per unit (e.g., tablets, capsules, granules or liquids) consistent with those employed in the quantity statement and directions for use. Liquids expressed as volume must also list a weight equivalent (e.g., 1 fl. oz. = 28 grams).

(3) Vitamins guaranteed on pet food labels shall be stated in International Units per kilogram (IU/kg) for vitamins A, D, and E. All other vitamins shall be stated in milligrams per kilogram (mg/kg) except vitamin B<sub>12</sub> which may be guaranteed in micrograms per kilogram (µg/kg).

(4) The label of a pet food which is formulated as and represented to be a vitamin supplement shall include a guarantee for the minimum content of each vitamin declared in the ingredient statement. Vitamin guarantees shall be expressed as per rule 2 CSR 70-31.040(3). Products labeled as per rule

2 CSR 70-31.020(2) may express the vitamin guarantees in approved units (e.g., IU, mg, g) per unit (e.g., tablets, capsules, granules or liquids) consistent with those employed in the quantity statement and directions for use. Liquids expressed as volume must also list a weight equivalent (e.g., 1 fl. oz. = 28 grams).

(5) If the label of a pet food does not represent the pet food to be either a vitamin or a mineral supplement but does include a table of comparison of a typical analysis of the vitamin, mineral, or nutrient content of the pet food with levels recommended by AAFCO-recognized animal nutrition authority, this comparison may be stated in the units of measurement used in the AAFCO Dog or Cat Food Nutrient Profiles. The statement in a table of comparison of the vitamin, mineral or nutrient content shall constitute a guarantee, but need not be repeated in the guaranteed analysis. The table of comparison may appear on the label separate and apart from the guaranteed analysis.

(6) The use of percentages or words of similar import when referring to nutrient levels established by the AAFCO Dog or Cat Food Nutrient Profile or other recognized nutrient profile shall not be permitted on pet food labels, except that such direct comparisons in whole or part of the individual nutrient contents of a pet food with those recommended by the recognized nutrient profile may be made where the comparisons are expressed in the same quantitative units as those used by the cited nutrient profile and—

(A) The product in question meets the nutrient profile recommended by the authority; and

(B) The comparison is preceded by a statement to that effect.

*AUTHORITY:* section 266.195, RSMo (1994). \* Original rule filed Jan. 16, 1975, effective Feb. 1, 1975. Amended: Filed Sept. 15, 1976, effective Dec. 11, 1976. Amended: Filed May 13, 1986, effective Sept. 1, 1986. Amended: Filed Oct. 20, 1995, effective June 30, 1996.

\*Original authority 1972 amended 1993, 1995.

## 2 CSR 70-31.050 Ingredients

*PURPOSE:* This rule establishes uniform terms of expressing ingredients and to set standards of acceptance.

(1) The maximum moisture in all pet foods shall be guaranteed and shall not exceed seventy-eight percent (78%) or the natural

moisture content of the constituent ingredients of the product, whichever is greater. Pet foods, such as those consisting principally of stew, gravy, sauce, broth, juice or a milk replacer, which are so labeled may contain moisture in excess of seventy-eight percent (78%).

(2) Each ingredient of the pet food shall be listed in the ingredient statement and names of all ingredients in the ingredient statement must be shown in letters or type of the same size. The failure to list the ingredients of a pet food in descending order by their predominance by weight in nonquantitative terms may be misleading. Any ingredient for which the Association of American Feed Control Officials, 2 CSR 70-30.015 has established a name and definition shall be identified by the established name. Any ingredient for which no name and definition has been established shall be identified by the common or usual name of the ingredient. Brand or trade names shall not be used in the ingredient statement.

(3) The term “dehydrated” may precede the name of any ingredient in the ingredient list that has been artificially dried.

(4) No reference to quality or grade of an ingredient shall appear in the ingredient statement of a pet food.

(5) A reference to the quality, nature, form or other attribute of an ingredient shall not be made unless that designation is accurate and unless the ingredient imparts a distinctive characteristic to the pet food because it possesses that attribute.

*AUTHORITY: section 266.195, RSMo (1994). \* Original rule filed Jan. 16, 1975, effective Feb. 1, 1975. Amended: Filed Sept. 15, 1976, effective Dec. 11, 1976. Amended: Filed May 13, 1986, effective Sept. 1, 1986. Amended: Filed Oct. 20, 1995, effective June 30, 1996.*

*\*Original authority 1972 amended 1993, 1995.*

**2 CSR 70-31.060 Directions For Use of a Pet Food**

(Rescinded June 30, 1996)

**2 CSR 70-31.070 Drug and Pet Food Additives**

*PURPOSE: This rules sets limits on the additives that may be used.*

*Editor's Note: The following material is incorporated into this rule by reference:*

- 1) *Office of the Federal Register National Archives and Records Administration, Code of Federal Regulations Title 21 (Washington: U.S. Government Printing Office, 1995); and*
- 2) *Office of the Law Revision Counsel of the House of Representatives, U.S. Code Title 21, 360(b) (Washington: U.S. Government Printing Office, 1995).*

*In accordance with section 536.031(4), RSMo, the full text of material incorporated by reference will be made available to any interested person at the Office of the Secretary of State and the headquarters of the adopting state agency.*

(1) An artificial color may be used in a pet food only if it has been shown to be harmless to pets. The permanent or provisional listing of an artificial color in the United States Food and Drug Regulations, 2 CSR 70-30.085, as safe for use, together with the conditions, limitations, and tolerances, if any, incorporated therein, shall be deemed to be satisfactory evidence that the color is, when used pursuant to these regulations, harmless to pets.

(2) Prior to approval of a registration application and/or approval of a label for pet food, which contains additives (including drugs, other special purpose additives, or nonnutritive additives), the distributor may be required to submit evidence to prove the safety and efficacy of the pet food, when used according to directions furnished on the label. Satisfactory evidence of the safety and efficacy of a pet food may be—

(A) When the pet food contains these additives, the use of which conforms to the requirements of the applicable regulation in the *Code of Federal Regulations*, Title 21, 2 CSR 70-30.085, or which are “prior sanctioned” or “Generally Recognized As Safe” for such use; or

(B) When the pet food itself is a drug as defined in section 266.160(7), RSMo and is generally recognized as safe and effective for label use or is marketed subject to an application approved by the Food and Drug Administration under Title 21, U.S.C. 360(b) 2 CSR 70-30.085; and

(C) The medicated labeling format recommended by the Association of American Feed Control Officials, 2 CSR 70-30.020 shall be used to assure that adequate labeling is provided.

*AUTHORITY: section 266.195, RSMo (1994). \* Original rule filed Jan. 16, 1975, effective Feb. 1, 1975.*

*Amended: Filed Sept. 15, 1976, effective Dec. 11, 1976. Amended: Filed May 13, 1986, effective Sept. 1, 1986. Amended: Filed Oct. 20, 1995, effective June 30, 1996.*

*\*Original authority 1972 amended 1993, 1995.*

**2 CSR 70-31.080 Statements of Calorie Content**

*PURPOSE: This rule permits a declaration of calorie content to provide better information to pet food purchasers.*

(1) The label of a dog or cat food may bear a statement of calorie content, provided—

(A) The statement shall be separate and distinct from the “Guaranteed Analysis” and shall appear under the heading “Calorie Content”; and

(B) The statement shall be measured in terms of metabolizable energy (ME) on an as-fed basis and must be expressed as kilocalories per kilogram (kcal/kg) of product, and may also be expressed as kilocalories per familiar household measure (e.g., cups, cans, ounces, pounds); and

(C) An affidavit shall be provided upon request by the director, substantiating that the calorie content was determined—

1. By calculation using the following “Modified Atwater” formula:

$$ME \text{ (kcal/kg)} = 10[(3.5 \times CP) + (8.5 \times CF) + (3.5 \times NFE)]$$

where—CP = % crude protein as fed  
 CF = % crude fat as fed  
 NFE = % nitrogen-free extract (carbohydrate) as fed

and the percentages of CP and CF are the arithmetic averages from proximate analyses of at least four (4) production batches of the product, and the NFE is calculated as the difference between one hundred (100) and the sum of CP, CF and the percentages of crude fiber, moisture and ash (determined in the same manner as CP and CF). The results of all the analyses used in the calculation must accompany the affidavit, and the claim on the label or other labeling must be followed parenthetically by the word “calculated”; or

2. In accordance with a testing procedure established by the Association of American Feed Control Officials. The summary data used in the determination of calorie content must accompany the affidavit. The value stated on the label shall not exceed or understate the value determined in accordance with 2 CSR 70-31.080(1)(C)1. by more than fifteen percent (15%).

(D) Comparative claims shall not be false, misleading or given undue emphasis and must be based on the same methodology for both products.

*AUTHORITY: section 266.195, RSMo 1994.\* Original rule filed Oct. 20, 1995, effective June 30, 1996.*

*\*Original authority 1972 amended 1993, 1995.*

## 2 CSR 70-31.090 Descriptive Terms

*PURPOSE: This rule defines calorie and fat terms used in the labeling of pet food in order to be consistent with the labeling laws of other states.*

### (1) Calorie Terms.

#### (A) "Light."

1. Dog food products bearing the terms "light," "lite," "low calorie," or words of similar designation shall contain and state on the label no more than 3100 kcal ME/kg for products containing less than twenty percent (20%) moisture, no more than 2500 kcal ME/kg for products containing twenty percent (20%) or more but less than sixty-five percent (65%) moisture, and no more than 900 kcal ME/kg for products containing sixty-five percent (65%) or more moisture. The label shall bear a calorie content statement in accordance with the format provided in 2 CSR 70-31.080. Feeding directions shall reflect a reduction in calorie intake consistent with the intended use.

2. Cat food products bearing the terms "light," "lite," "low calorie," or words of similar designation shall contain and state on the label no more than 3250 kcal ME/kg for products containing less than twenty percent (20%) moisture, no more than 2650 kcal ME/kg for products containing twenty percent (20%) or more but less than sixty-five percent (65%) moisture, and no more than 950 kcal ME/kg for products containing sixty-five percent (65%) or more moisture. The label shall bear a calorie content statement in accordance with the format provided in 2 CSR 70-31.080. Feeding directions shall reflect a reduction in calorie intake consistent with the intended use.

#### (B) "Less" or "Reduced Calories."

1. For dog or cat food product labels bearing a claim of "less calories," "reduced calories," or words of similar designation, the percentage of reduction and the product of comparison shall be explicitly stated and juxtaposed with the claim in the same size, style, and color print. The product label shall also bear a calorie content statement in accordance with the format provided in 2 CSR 70-

31.080. Comparisons between products in different categories of moisture content less than twenty percent (20%), twenty percent (20%) or more but less than sixty-five percent (65%), sixty-five percent (65%) or more are misleading. Feeding directions shall reflect a reduction in calories compared to feeding directions for the product of comparison.

### (2) Fat Terms.

#### (A) "Lean."

1. Dog food product labels bearing the terms "lean," "low fat," or words of similar designation shall contain and guarantee on the label no more than nine percent (9%) crude fat for products containing less than twenty percent (20%) moisture, no more than seven percent (7%) crude fat for products containing twenty percent (20%) or more but less than sixty-five percent (65%) moisture, and no more than four percent (4%) crude fat for products containing sixty-five percent (65%) or more moisture. The product label shall bear a maximum crude fat guarantee immediately following the minimum crude fat guarantee in addition to the mandatory guaranteed analysis information as specified in 2 CSR 70-31.020(3).

2. Cat food products bearing the terms "lean," "low fat," or words of similar designation shall contain and guarantee on the label no more than ten percent (10%) crude fat for products containing less than twenty percent (20%) moisture, no more than eight percent (8%) crude fat for products containing twenty percent (20%) or more but less than sixty-five percent (65%) moisture, and no more than five percent (5%) crude fat for products containing sixty-five percent (65%) or more moisture. The product label shall bear a maximum crude fat guarantee immediately following the minimum crude fat guarantee in addition to the mandatory guaranteed analysis information as specified in 2 CSR 70-31.020(3).

#### (B) "Less" or "Reduced Fat."

1. For dog or cat food labels bearing a claim of "less fat," "reduced fat," or words of similar designation, the percentage of reduction and the product of comparison shall be explicitly stated and juxtaposed with the claim in the same size, style, and color print. The product label shall also bear a maximum crude fat guarantee immediately following the minimum crude fat guarantee in addition to the mandatory guaranteed analysis information as specified in 2 CSR 70-31.080. Comparisons between products in different categories of moisture content less than twenty percent (20%), twenty percent (20%) or more but less than sixty-five percent (65%),

sixty-five percent (65%) or more are misleading.

*AUTHORITY: section 266.195, RSMo Supp. 1997.\* Original rule filed Nov. 17, 1997, effective June 30, 1998.*

*\*Original authority 1972, amended 1993, 1995, 1997.*