

## METHOD OF INDICATING CHANGES

This accessible version of the regulation text includes the phrase [begin underline] at the beginning of each addition, [end underline] at the end of each addition, [begin strikeout] at the beginning of each deletion, and [end strikeout] at the end of each deletion.

Changes resulting from the 45-day public comment period have been incorporated into the regulation text. The proposed regulations with the 45-day suggested changes are indicated as follows:

- a. Deleted regulation text is indicated by [begin double strike-through] at the beginning of each deletion and [end double strike-through] at the end of each deletion.
- b. Additions to the regulation text are indicated by [begin double underline] at the beginning of each addition and [end double underline] at the end of each addition.

A standard version of this regulation text is also available on the Department's Office of Regulations Internet site.

**TITLE 17, California Code of Regulations**  
**Division 1, Chapter 5, Subchapter 2**  
**Group 2, Definitions and Standards**  
**Article 16, Processed Pet Food Regulations**

Amend Section 19025 as follows:

**§ 19025. Labeling and Restrictions.**

(a) – (d) *No change to text.*

(e) All labels shall also comply with the provisions of Sections ~~27031, 27032, 27033, and 27034~~ 113095, 113100, 113105, and 113110 of the California Health and Safety Code and the U.S. Fair Packaging and Labeling Act.

(f) *No change to text.*

(g) ~~The terms “fit for human food,” “fit for human consumption,” or any similar terms are prohibited on the labels or in advertisements of a processed pet food. The term “human grade” is defined as an ingredient that is stored, handled, processed, and transported in a manner consistent and compliant with regulations for good manufacturing practices for human food pursuant to Health and Safety Code section 110105 as defined by subsection (t) below.~~

(1) The term “human grade” is acceptable in reference to the product as a whole when:

(A) All of the ingredients and components of ingredients meet the definition in subsection (g) above; and

(B) The resulting product is stored, handled, processed, and transported in a manner consistent and compliant with the definition in subsection (g) above.

(2) A processed pet food with “human grade” claims must be labeled or advertised for its intended use as pet food and follow all other California pet food labeling requirements. The following also applies to “human grade” claims:

(A) Statements of quality or grade may not appear in the ingredient statement; and

(B) All uses of the words “human grade” on labeling or advertising must be accompanied with a statement of the intended use of the product as a pet food. No printing of the term “human grade” on labeling or advertising can be larger than the statement of intended use.

(3) Use of the term “human grade” in reference only to a specific ingredient is permissible even if the product as a whole does not meet the definition of “human grade” if:

(A) The ingredient to which the term “human grade” is referencing meets the definition of “human grade” in section (g) above;

(B) The use of the term “human grade” does not imply that the product as a whole is “human grade;”

(C) To use the term “human grade” in reference to a single ingredient on labeling or advertising, a statement of the intended use of the product as a pet food must also be included. No printing of the term “human grade” on labeling or advertising can be larger than the statement of intended use; and

(D) Statements of quality or grade may not appear in the ingredient statement.

(h) – (p) *No change to text.*

(q) The term “natural” is defined as an ingredient derived solely from plant, animal, or mined sources, either in its unprocessed state or having been subject to physical processing, heat processing, rendering, purification, extraction, hydrolysis, enzymolysis, or fermentation, but not having been produced by or subject to a chemically synthetic process and not containing any additives or processing aids that are chemically synthetic except in amounts as might occur unavoidably in good manufacturing processes pursuant to Health and Safety Code section 110105 as defined by subsection (t) below.

(1) The term “natural” is acceptable in reference to the product as a whole when all of the ingredients and components of ingredients meet the definition in subsection (q) above.

(2) Use of the term “natural” on a processed pet food label or advertised as a processed pet food product is false or misleading if any chemically synthesized ingredients are present in the product, except in the case of chemically synthesized vitamins, minerals, or other trace minerals, provided the product is not a dietary supplement and the label includes a disclaimer to inform the consumer the vitamins, minerals, or other trace minerals are not natural. The disclaimer must meet each of the following elements:

(A) The disclaimer is included in conjunction with any use of the term “natural;”

(B) The disclaimer appears with the largest or most prominent printing of the term “natural” on each panel of the label on which the term appears, in the same style and color print, and at least one-half the size of the term “natural;”

(C) The disclaimer appears with the largest or most prominent printing of the term “natural” in each advertisement in which the term appears, in the same style and color print and at least one-half the size of the term “natural;”

(D) For any disclaimer under this subsection, if it is used only to identify in generic terms those vitamins, minerals, and other trace minerals which are not natural, a guarantee is not warranted;

(E) For any disclaimer under this subsection, if it makes reference to a specific nutrient, a guarantee is warranted; and

(F) All other ingredients and components of ingredients in the product must meet the definition of “natural” as defined in subsection (q) above.

(3) Use of the term “natural” in reference only to a specific ingredient, is permissible even if the product as a whole does not meet the definition of “natural” if:

(A) The ingredient to which the term “natural” is referencing complies with the definition of “natural” as defined in this subsection; and

(B) The use of the term “natural” does not imply that the product as a whole is "natural."

~~(r) In regard to the labeling of processed pet food, the Department incorporates by reference Chapter X of the AAFCO Pet Food and Specialty Pet Food Labeling Guide (Rev. May 2016):~~

~~(s) Pursuant to Health and Safety code section 113120, this Article is subject to the Sherman Food, Drug, and Cosmetic Law, Health and Safety Code section 109875 et seq.~~

~~(t) As used in this Article, good manufacturing practices refers to the federal regulations incorporated into state law pursuant to Health and Safety Code section 110105.~~

Note: Authority cited: Sections ~~208 and 27040(a), (b) and (d),~~ 113115, 131000, 131050, 131051, 131052, and 131200 Health and Safety Code. Reference: Sections ~~27031, 27032, 27034 and 27040,~~ 113095, 113100, 113105, 113110, and 113115 Health and Safety Code.

Amend Section 19041 as follows:

### **§ 19041. Pet Food Licenses and Certificates.**

(a) Licenses and certificates for pet food processors will be valid for a ~~two-year~~ one-year period from date of issue and are not transferable. ~~The fee for the license or certificate is \$200.00.~~

(b) – (d) *No change to text.*

Note: Authority cited: Sections ~~208 and 221,~~ 131000, 131050, 131051, 131052, and 131200 Health and Safety Code. Reference: Sections ~~221,~~ 113060, 113065, and 100425 Health and Safety Code.

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