

CHAPTER 7-17-10

TERMS MANUFACTURER

Section

7-17-10-01

Descriptive Terms

7-17-10-01. Descriptive terms.

1. Calorie terms:

a. "Light":

- (1) A dog food product that bears on its label the terms "light", "lite", "low calorie", or words of similar designation must:
 - (a) Contain no more than three thousand one hundred kcal ME/kg for products containing less than twenty percent moisture, no more than two thousand five hundred kcal ME/kg for products containing twenty percent or more but less than sixty-five percent moisture, and no more than nine hundred kcal ME/kg for products containing sixty-five percent or more moisture;
 - (b) Include on the label a calorie content statement:
 - [1] In accordance with the format provided in chapter 7-17-09; and
 - [2] That states no more than three thousand one hundred kcal ME/kg for products containing less than twenty percent moisture, no more than two thousand five hundred kcal ME/kg for products containing twenty percent or more but less than sixty-five percent, and no more than nine hundred kcal ME/kg for products containing sixty-five percent or more moisture; and
 - (c) Include on the label feeding directions that reflect a reduction in calorie intake consistent with the intended use.
- (2) A cat food product that bears on its label the terms "light", "lite", "low calorie", or words of similar designation must:
 - (a) Contain no more than three thousand two hundred fifty kcal ME/kg for products containing less than twenty percent moisture, no more than two thousand six hundred fifty kcal ME/kg for products containing twenty percent or more but less than sixty-five percent moisture, and no more than nine hundred fifty kcal ME/kg for products containing sixty-five percent moisture; and
 - (b) Include on the label a calorie content statement:
 - [1] In accordance with the format provided in chapter 7-17-09; and
 - [2] That states no more than three thousand two hundred fifty kcal ME/kg for products containing less than twenty percent moisture, no more than two thousand six hundred fifty kcal ME/kg for products containing twenty percent or more but less than sixty-five percent moisture, and no more than nine hundred fifty kcal ME/kg for products containing sixty-five percent or more moisture; and
 - (c) Include on the label feeding directions that reflect a reduction in calorie intake consistent with the intended use.

b. "Less" or "reduced calories":

- (1) A dog or cat food product that bears on its label a claim of "less calories", "reduced calories", or words of similar designation, must include on the label:
 - (a) The name of the product of comparison and the percentage of calorie reduction expressed on an equal weight basis explicitly stated and juxtaposed with the largest or most prominent use of the claim on each panel of the label on which the term appears;
 - (b) The comparative statement printed in type of the same color and style and at least one-half the type size used in the claim;
 - (c) A calorie content statement in accordance with the format provided in chapter 7-17-09; and
 - (d) Feeding directions that reflect a reduction in calories compared to feeding directions for the product of comparison.
- (2) A comparison between products in different categories of moisture content is misleading.

2. Fat terms:

a. "Lean":

- (1) A dog food product that bears on its label the terms "lean", "low fat", or words of similar designation shall:
 - (a) Contain no more than nine percent crude fat for products containing less than twenty percent moisture, no more than seven percent crude fat for products containing twenty percent or more but less than sixty-five percent moisture, and no more than four percent crude fat for products containing sixty-five percent or more moisture;
 - (b) Include on the product label in the guaranteed analysis:
 - [1] A maximum crude fat guarantee immediately following the minimum crude fat guarantee in addition to the mandatory guarantee specified in subdivision a of subsection 1 of section 7-17-04-01; and
 - [2] A maximum crude fat guarantee that is no more than nine percent crude fat for products containing less than twenty percent moisture, no more than seven percent crude fat for products containing twenty percent or more but less than sixty-five percent moisture, and no more than four percent crude fat for products containing sixty-five percent or more moisture.
- (2) A cat food product that bears on its label the terms "lean", "low fat", or words of similar designation must:
 - (a) Contain a maximum percentage of crude fat which is no more than ten percent crude fat for products containing less than twenty percent moisture, no more than eight percent crude fat for products containing twenty percent or more but less than sixty-five percent moisture, and no more than five percent crude fat for products containing sixty-five percent or more moisture; and
 - (b) Include on the product label in the guaranteed analysis:

- [1] A maximum crude fat guarantee immediately following the minimum crude fat guarantee in addition to the mandatory guarantee specified in subdivision a of subsection 1 of section 7-17-04-01; and
 - [2] A maximum percentage of crude fat that is no more than ten percent crude fat for products containing less than twenty percent moisture, no more than eight percent crude fat for products containing twenty percent or more but less than sixty-five percent moisture, and no more than five percent crude fat for products containing sixty-five percent or more moisture.
- b. "Less" or "reduced fat":
 - (1) A dog or cat food product that bears on its label a claim of "less fat", "reduced fat", or words of similar designation, must include on the label:
 - (a) The name of the product of comparison and the percentage of fat reduction expressed on an equal weight basis explicitly stated and juxtaposed with the largest or most prominent use of the claim on each panel of the label on which the term appears;
 - (b) The comparative statement printed in type of the same color and style and least one-half the type size used in the claim; and
 - (c) A maximum crude fat guarantee in the guaranteed analysis immediately following the minimum crude fat guarantee in addition to the mandatory guaranteed analysis information as specified in subdivision a of subsection 1 of section 7-17-04-01.
 - (2) A comparison on the label between products in different categories of moisture content is misleading.
- 3. Carbohydrate terms:
 - a. "Low" carbohydrate, dietary starch, and sugars claims. A claim of "low carbohydrates", "low dietary starch", "low sugars" alone or in combination is not allowed.
 - b. "Less" or "reduced" carbohydrates, dietary starch, and sugars claims.
 - (1) A dog or cat food product that makes such statements on the label must include on that label:
 - (a) The name of the product of comparison and the percentage of reduction in total dietary starch plus sugars expressed on an equal weight basis explicitly stated and juxtaposed with the largest or most prominent use of the claim on each panel of the label on which the term appears; and
 - (b) The comparative statement printed in type of the same color and style but not less than one-half the size used in the claim; and
 - (c) Maximum guarantees for dietary starch and sugars as stated in subdivision c of subsection 1 of section 7-17-04-01.
 - (2) A comparison between products in different categories of moisture content is misleading.

History: Effective July 1, 2020.

General Authority: NDCC 4.1-41-20

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