

CHAPTER 7-16-03 LABEL INFORMATION

Section

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7-16-03-01. Label information.

Commercial feed, other than customer-formula feed, must be labeled with the information prescribed by North Dakota Century Code section 4.1-41-06.

1. Product name and brand name if any:
 - a. The brand or product name must be appropriate for the intended use of the feed and must not be misleading. If the name indicates the feed is made for a specific use, the character of the feed must conform to that use. A commercial feed for a particular animal class must be suitable for that purpose.
 - b. Commercial, registered brand, or trade names are not permitted in guarantees or ingredient listings and only in the product name of feeds produced by or for the firm holding the rights to such a name.
 - c. The name of a commercial feed may not be derived from one or more ingredients of a mixture to the exclusion of other ingredients and may not be one representing any components of a mixture unless all components are included in the name provided that if any ingredient or combination of ingredients is intended to impart a distinctive characteristic to the product which is of significance to the purchaser, the name of that ingredient or combination of ingredients may be used as a part of the brand name or product name if the ingredients or combination of ingredients is quantitatively guaranteed in the guaranteed analysis, and the brand or product name is not otherwise false or misleading.
 - d. The word "protein" is not be permitted in the product name of a feed that contains added nonprotein nitrogen.
 - e. When the name carries a percentage value, it must be understood to signify protein content or protein equivalent content, or both even though it may not explicitly modify the percentage with the word "protein" provided that other percentage values may be permitted if they are followed by the proper description and conform to good labeling practice. Digital numbers may not be used in such a manner as to be misleading or confusing to the customer.
 - f. Single ingredient feeds must have a product name in accordance with the designated definition of feed ingredients as recognized by the association of American feed control officials unless the agriculture commissioner designates otherwise.
 - g. The word "vitamin", or a contraction of vitamin, or any word suggesting vitamin may be used only in the name of a feed which is represented to be a vitamin supplement, and which is labeled with the minimum content of each vitamin declared as specified in this rule.
 - h. The term "mineralized" shall not be used in the name of a feed except for "trace mineralized salt". When so used, the product must contain significant amounts of trace minerals which are recognized as essential for animal nutrition.

- i. The term "meat" and "meat byproducts" must be qualified to designate the animal from which the meat and meat byproducts are derived unless the meat and meat byproducts are made from cattle, swine, sheep, and goats.
2. If a drug is used:
 - a. The word "medicated" must appear directly following and below the product name in type size, no smaller than one-half the type size of the product name;
 - b. Purpose statement as required in this section;
 - c. The purpose of the medication; and
 - d. An active ingredient statement listing the active drug ingredients by their established name and the amounts in accordance with these rules.
3. Purpose statement:
 - a. The statement of purpose shall contain the specific species and animal class for which the feed is intended as defined in these rules.
 - b. The manufacturer shall have flexibility in describing in more specific and common language the defined animal class, species, and purpose while being consistent with the category of animal class defined in these rules which may include weight range, sex, or age of animal for which the feed is manufactured.
 - c. The purpose statement may be excluded from the label if the product name includes a description of the species and animal class for which the product is intended.
 - d. The purpose statement of a premix for the manufacture of feed may exclude the animal class and species and state "for further manufacture of feed" if the nutrients contained in the premix are guaranteed and sufficient for formulation into various animal species, feeds, and premix specifications are provided by the end user of the premix.
 - e. The purpose statement of a single purpose ingredient blend, such as a blend of animal protein products, milk products, fat products, roughage products, or molasses products may exclude the animal class and species and state "for further manufacture of feed" if the label guarantees of the nutrients contained in the single purpose nutrient blend are sufficient to provide for formulation into various animal species feeds.
 - f. The purpose statement of a product must include a statement of enzyme functionality if enzymatic activity is represented in any manner.
 - g. The statement of purpose for single ingredient feeds must be stated as "single ingredient feed" or "feed ingredient". The manufacturer of a single ingredient feed or feed ingredient shall have the flexibility in describing in more specific and common language the intended use of the feed ingredient dependent on species and class.
4. Guarantees must be stated in the following sequence: crude protein, equivalent crude protein from nonprotein nitrogen, amino acids, crude fat, crude fiber, acid detergent fiber, neutral detergent fiber, calcium, phosphorus, salt, and sodium.
5. Other required and voluntary guarantees must follow a general format such that the units of measure used to express guarantees are listed in a sequence that provides a consistent grouping of the units of measure.
6. Feed ingredients, collective terms for the grouping of feed ingredients, or appropriate statements as provided under the provisions of North Dakota Century Code section 4.1-41-06.

- a. The name of each ingredient as defined in the official publication of the association of American feed control officials, common or usual name, or one approved by the agriculture commissioner.
- b. Collective terms for the grouping of feed ingredients as defined in the official definitions of feed ingredients published in the official publication of the association of American feed control officials in lieu of the individual ingredients, provide that:
 - (1) When a collective term for a group of ingredients is used on the label, individual ingredients within that group must not be listed on the label.
 - (2) The manufacturer shall provide the feed control official with a list of individual ingredients within a defined group that are or have been used at manufacturing facilities distributing in or into the state upon request.
- 7. Directions for use and precautionary statements or reference to their location if the detailed feeding directions and precautionary statements required by this rule appear elsewhere on the label.
- 8. Name and principal mailing address of the manufacturer or person responsible for distributing the feed. The principal mailing address must include the street address, city, state, and zip code. The street address may be omitted if it is shown in the current city directory or telephone directory.
- 9. Quantity statement:
 - a. Net quantity must be declared in terms of weight, liquid measure, or count based on applicable requirements under section 4 of the Fair Packaging and Labeling Act.
 - b. Net quantity labeled in terms of weight must be expressed both in pounds, with any remainder in terms of ounces or common decimal fractions of the pound and in appropriate metric system units. In the case of liquid measure, both in the largest whole unit with any remainder in terms of fluid ounces, or common decimal fractions of the pint or quart and in appropriate metric system units.
 - c. When the declaration of quantity of contents by count does not give adequate information as to the quantity of feed in the container, it must be combined with such statement of weight, liquid measure, or size of the individual units as will provide such information.

History: Effective July 1, 2020.

General Authority: NDCC 4.1-41-20

Law Implemented: NDCC 4.1-41-06