

## **CHAPTER 7-17-06 DRUGS AND PET FOOD ADDITIVES**

Section

7-17-06-01      Drugs and Pet Food Additives

### **7-17-06-01. Drugs and pet food additives.**

1. An artificial color may be used in a pet food or specialty pet food only if it has been shown to be harmless to pets or specialty pets. The permanent or provisional listing of an artificial color in the United States food and drug regulations as safe for use, together with the conditions, limitations, and tolerances, if any, must be deemed to be satisfactory evidence that the color is, when used according to regulations, harmless to pets or specialty pets.
2. Evidence may be required to prove the safety and efficacy or utility of a pet food or specialty pet food that contains additives or drugs, when used according to directions furnished on the label. Satisfactory evidence of the safety and efficacy of a pet food or specialty pet food may be established:
  - a. When the pet food or specialty pet food contains such additives being used in compliance with the requirements of the applicable regulation under title 21, Code of Federal Regulations;
  - b. Which are "prior sanctioned", "informal review sanctioned", or "generally recognized as safe" for such use; or
  - c. When the pet food or specialty pet food itself is a drug or contains a drug as defined in subsection 7 of North Dakota Century Code section 4.1-41-01 and is "generally recognized as safe and effective" for the labeled use or is marketed subject to an application approved by the United States food and drug administration under title 21, United States code 360(b).
3. When a drug is included in a pet food or specialty pet food, the format required by subsection 1 of chapter 7-16-03 for labeling medicated feeds must be used.

**History:** Effective July 1, 2020.

**General Authority:** NDCC 4.1-41-20

**Law Implemented:** NDCC 4.1-41-05