

CHAPTER 7-17-14
DETERMINATION OF CALORIE CONTENT FOR DOG AND CAT FOOD

Section

7-17-14-01 Determination of Calorie Content for Dog and Cat Food

7-17-14-01. Determination of calorie content for dog and cat food.

1. The statement must be determined in terms of metabolizable energy (ME) on an "as fed" moisture basis by one of the following methods then converted to calories (kcal) per the familiar household unit (i.e., can, measuring cup, treat, or piece):
 - a. By calculation (indicated with a "+" in the pet nutrition facts) using the "modified Atwater" formula; or
 - b. In accordance with testing procedures determined by the AAFCO (indicated as "(fed)" in the pet nutrition facts).
2. An affidavit must be provided upon the request of the commissioner, substantiating that the calorie content was determined by:
 - a. Calculation in which case the summary data used in the calculation must be included in the affidavit; or
 - b. Testing in which case the summary data used in the determination of calorie content must accompany the affidavit.
3. The calories from protein, fat, and carbohydrate as required in the pet nutrition facts, then converted to calories (kcal) per the familiar household unit (i.e., can, measuring cup, treat, or piece).
4. Comparative claims must not be false, misleading, or given undue emphasis and must be based on the same methodology for the products compared.

History: Effective July 1, 2024.

General Authority: NDCC 4.1-41-20

Law Implemented: NDCC 4.1-41-05, 4.1-41-06, 4.1-41-07