



Rules and Regulations

Adopted by the

Texas Feed Control Service

Under The

*Texas Commercial Feed
Control Act of 1957*

TEXAS A&M UNIVERSITY
TEXAS AGRICULTURAL EXPERIMENT STATION
R. E. Patterson, Director, College Station, Texas

CONTENTS

Artificial Color.....	3
Brand and Product Names.....	3
Drugs.....	4
Procedures for Paying the Inspection Fee.....	5
Minerals.....	6
Registration and Labeling.....	8
Sampling and Analysis.....	9
Urea and Ammonia Salts.....	10
Vitamins.....	10
Contract Feeding.....	12
Definition and Standards.....	12

Rules and Regulations

Texas Feed Control Service

Pursuant to due notice and public hearing, as required by Section 11 of the Texas Commercial Feed Control Act of 1957, the following Rules and Regulations were adopted October 10, 1960 by the Texas Feed Control Service.

1. Artificial Color

An artificial color may be used in feeds only if it has been shown to be harmless to animals. No material shall be used to enhance the natural color of a feed or feed ingredient, whereby inferiority would be concealed.

2. Brand and Product Names

- (a) The brand or product name must not be misleading. If the name indicates that a commercial feed is made for a specific use, the character of the feed must conform therewith. A mixture labeled "dairy feed," for example, must be suitable for that purpose.
- (b) A brand name is distinctive with reference to the feed to which it applies, and the registration of feeds under the same brand name by two or more manufacturers or shippers shall be discouraged. This regulation applies also to the registration of brand names so similar in character as likely to be confused by the purchaser.
- (c) If reference to one ingredient is made in the brand name of a product, all ingredients composing the product must be so named except that:
 - (1) The name of a drug ingredient may form a part of the product name when the registration requirements of the Law and Regulation 9 have been met.

- (2) When a meat or meat by-product ingredient constitutes 95% or more of the total weight of all ingredients composing a mixture, the name of such ingredient may form a part of the brand name if the names of all other ingredients are printed on the label immediately following the name of the product.
- (d) The term "mineralized" shall not be used in the name of a feed except "Trace Mineralized Salt." When so used, the product must contain significant amounts of trace minerals which are recognized as essential for animal nutrition.

3. Drugs

- (a) Before a registration is accepted for drugs, the applicant for registration may be required to:
 - (1) Show the name of and purpose for the presence of the drug.
 - (2) Furnish data in support of the claims to demonstrate the efficacy of the product.
 - (3) Show the minimum and maximum quantity required to accomplish the purpose.
 - (4) Show the safety of the feed when used according to directions.
 - (5) Furnish a written statement that adequate written or printed warnings and feeding directions will accompany each delivery of the feed.
- (b) Drugs in commercial feeds shall be guaranteed in terms of percentage by weight, except that antibiotics may be guaranteed in terms of grams per pound or ton of feed.

4. Procedures for Paying the Inspection Fee

- (a) *Inspection Tax Tags.* Pursuant to Section 7 (c) of the Texas Commercial Feed Control Act of 1957, inspection tax tags will be issued in denominations of 5, 10, 25, 50, 75 and 100 pounds.
- (b) *Certificates.* Pursuant to section 7 (c) of the Texas Commercial Feed Control Act of 1957, certificates will be issued in any weight denominations of 5 pounds and over; provided the printing thereof may be supervised by the Feed Control Service staff.
- (c) The inspection fee covering products defined as commercial feed distributed in bulk must be paid either by means of the tonnage reporting procedures or by certificates, the denominations of which shall be such as not to require the use of more than five such certificates for each delivery. The certificates shall be affixed to the invoice which shall accompany the delivery of the product as required by Section 7 (c) of the Law and for any product sold in bulk, but delivered in uneven weighted containers or bags for transportational convenience, the invoice must include the following or similar statement:
- “This product is sold on a bulk basis but is packed in uneven weighted containers (or bags) as a convenience in transportation. You are responsible for complying with the labeling and other requirements of the Feed Law and Regulations in case you sell or offer for sale, whether in bulk or in containers (or bags), any part or all of the same.”
- (d) Each manufacturer or other person who pays the inspection fee by the use of tax tags or certificates shall

maintain records reflecting the total tonnage of all commercial feed handled and the portion of such tonnage that is subject to the inspection fee of 10 cents per ton. All such records shall be preserved and retained in usable condition and shall be available for examination by the Director or his representative for a period of not less than 2 years unless otherwise authorized by the Director, and the Director may require the retention of such records for a period of more than 2 years in instances where it is deemed desirable to do so.

(e) *Tonnage Reporting Permits.* Pursuant to the provisions of Section 7 (d) of the Texas Commercial Feed Control Act of 1957, permits will be issued to cover the following classes of commercial feed:

- (1) The sale or distribution of all classes of commercial feed.
- (2) The sale or distribution of commercial feed in containers.
- (3) The sale or distribution of commercial feed in bulk.

(f) The inspection fee may be paid on the three categories of feed stated in (b) hereof by either the tonnage reporting method or the tax tag and certificate method, but the inspection fee may not be paid by a combination of the two methods on any one of the above named categories of commercial feed.

5. Minerals

(a) Substances which primarily supply mineral elements or inorganic nutrients shall be classified as mineral feeds. A guarantee for protein, fat and fiber is not required.

(b) Feeds, mixed or unmixed, including mixtures containing both organic in-

redients and 5 percent or more of mineral ingredients, shall be labeled to show, in addition to the other information required by Law, the minimum and maximum percentage of calcium (Ca), the minimum percentage of phosphorus (P) and iodine (I), and the minimum and maximum percentages of salt (NaCl), if present. The ingredients shall be stated in the form in which used. When such mixtures contain relatively large amounts of salt, such as trace mineralized salt, then the guarantee on the label shall show the minimum percentage of salt (NaCl).

- (c) When the word "iodized" is used in connection with a feed ingredient, the ingredient shall not contain less than 0.007% iodine, uniformly distributed.
- (d) Minerals, except salt (NaCl), when quantitatively guaranteed, shall be stated in terms of percentage of the element.
- (e) Phosphatic materials for feeding purposes shall be labeled with a guarantee for the minimum and maximum percentage of calcium (Ca), the minimum percentage of phosphorus (P) and the maximum percentage of fluorine (F).
- (f) The fluorine content of any mineral or mineral mixture which is to be used directly for the feeding of domestic animals, shall not exceed 0.30 percent for cattle; 0.35 percent for sheep; 0.45 percent for swine; and 0.60 percent for poultry. Rock phosphate or other fluorine-bearing ingredients may be used only in such limited amounts in feeds so that they will not raise the fluorine of the total concentration of the (grain) ration above the following amounts: for cattle, 0.009 percent fluorine: for

sheep, 0.010 percent fluorine; swine, 0.014 percent fluorine; and poultry, 0.035 percent fluorine.

6. Registration and Labeling

- (a) The information required by Section 6(a) and (b) of the Texas Commercial Feed Control Act of 1957 must be filed in its entirety as a part of the registration and must appear on one side of a label affixed to the container or on one side of the container in which the product is distributed and any additional printed, written, graphic or other matter, material information of any kind, including but not limited to, symbols, designs and trademarks which may be placed on, packed with, or affixed to the container or to the invoice covering products distributed in bulk, must form a part of the registration and shall not be misleading in any particular and shall not advertise, name, promote, emphasize or otherwise direct attention to any one or more of the ingredients in the product to the exclusion of other ingredients, or to any component, constituent, or element of any ingredient, or to any product of, or otherwise reference in any manner any other manufacturer, firm, organization, or other such person; except when specifically authorized or required by provisions of the said law or by other regulations.
- (b) *The guaranty and the names of all ingredients must be in letters or type of the same size and must be of such size as to be easily read by the average person under ordinary conditions.*
- (c) The alternate method of labeling customer-formula feed, as provided by Section 6(c) (4) of the Law, shall be accomplished by the use of forms prescribed by the Director, and shall be signed in triplicate by both the

buyer and the seller. The original of the form shall be sent within 5 days from the date of the invoice to the Texas Feed Control Service, College Station, Texas. The duplicate shall be given to the customer simultaneously with the invoice covering the first transaction and each succeeding invoice shall carry the same identifying references, and a copy shall be retained by the seller.

- (d) Each drug product and each product, including customer-formula products which contain a drug, shall be labeled to show in addition to all other requirements, the purpose or claims for the presence of the drug, directions for use and when required, a warning against misuse.
- (e) When water is added in the preparation of canned products, it must be listed as an ingredient.
- (f) The term "dehydrated" may precede the name of any product that has been artificially dried.
- (g) The "sliding scale" method of expressing guarantees, e. g., "Protein-15-18%," etc., is prohibited.
- (h) No reference to quality or grade of an ingredient shall appear in the ingredient statement of a feed except in the case of a *customer-formula feed*.
- (i) In addition to the requirements of Section 5 and 6 of the Feed Law, a maximum moisture and ash guarantee shall be made for frozen and canned feeds.
- (j) Negative labeling is prohibited except as required by specific provisions of the Law and/or other regulations.

7. Sampling and Analysis

Except when the Director designates otherwise in specific cases, the methods of

sampling and analysis shall be the official methods of the Association of Official Agricultural Chemists.

8. Urea and Ammonium Salts

Urea and ammonium salts of carbonic and phosphoric acids are acceptable ingredients in proprietary cattle, sheep and goat feeds only, provided that the parenthetical statement "(For Ruminants Only)" is printed on the label directly below the brand or product name on all feeds with the exception of those containing diethylstilbestrol. In these instances, this statement is to be replaced with the phrase: "For Fattening Beef Cattle Only," or in sheep feeds, by the statement: "For Fattening Sheep Only." These materials shall be considered adulterants in proprietary feeds for other animals and birds; and the following statement of guarantee of crude protein for feeds containing these materials shall be used:

Crude Protein, not less than.....percent
(This includes not more than.....percent
equivalent protein from non-protein
nitrogen.)

If the equivalent protein from non-protein nitrogen in a feed exceeds one-third of the total crude protein, or if more than 8.75% equivalent protein is from non-protein nitrogen, the label shall bear the following statement in type of such conspicuousness as to render it likely to be read and understood by ordinary individuals under customary conditions of purchase and use:

"WARNING: This feed should be used only in accordance with directions furnished on the label."

9. Vitamins

(a) Guaranties of minimum vitamin content of feeds and feed supplements shall be stated in units or milligrams per pound as follows

- (1) Vitamin E activity in International Units.
 - (2) Vitamin A, other than precursors of vitamin A, in USP Units.
 - (3) Vitamin D in products offered for poultry feeding in International Chick Units.
 - (4) Vitamin D for other uses in USP Units.
 - (5) All other vitamins as true vitamins, not compounds, excepting only pyridoxine hydrochloride, chlorine chloride and thiamine; oils and concentrates containing vitamin A or vitamin D, or both, may be additionally labeled to show the vitamin content in units per gram.
- (b) The word "vitamin" or a contraction thereof, or any word suggesting a vitamin, may be used only in the brand name of a feed represented solely to be a vitamin supplement and which is labeled with the minimum vitamin content guaranteed as specified in 9(a) hereof.
- (c) No declaration of vitamin content of a feed supplement shall appear in the ingredient statement or any other part of the label of a proprietary feed excepting that such statement is a guarantee of minimum vitamin content of the entire product given in terms as specified in 9(a) hereof.
- (d) The common feed and/or mineral guaranties are not required for any product represented solely to be a vitamin supplement and which is labeled with a minimum vitamin guarantee as specified in 9(a) hereof.
- (e) If a feeding material is represented to be a combined vitamin B₁₂ and antibiotic feed supplement, it shall meet the potency standards and other

label and informational requirements established for each component.

10. Contract Feeding

Any person who feeds commercial feed to animals pursuant to a contract whereby such commercial feed is supplied, furnished or otherwise provided to such person and whereby such person's remuneration is determined or affected all or in part by feed consumption, mortality, profit or amount or quality of product, is subject to the registration, labeling, sampling, inspection fee and other provisions of the feed law and rules and regulations.

11. Definitions and Standards

- (a) The ingredient definitions and standards now or hereafter established by the Association of American Feed Control Officials are hereby adopted as the official definitions and standards of the Texas Feed Control Service.
- (b) The definitions and chemical standards now or hereafter established for special-purpose formula feeds by the Association of Southern Feed and Fertilizer Control Officials are hereby adopted by the Texas Feed Control Service.