

AGRICULTURAL EXPERIMENT STATION
(Amendment)

12 KAR 2:011. Label format.

RELATES TO: KRS 250.491-250.631

STATUTORY AUTHORITY: KRS 250.571(1)

CERTIFICATION STATEMENT: This certifies that this administrative regulation complies with the requirements of 2025 RS HB 6, Section 8.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 250.571(1) authorizes the Director of the Agricultural Experiment Station to promulgate administrative regulations necessary for the efficient enforcement of KRS 250.491 to 250.631, regarding commercial feeds. This administrative regulation establishes a uniform format for presentation of labeling to the purchaser of animal feeds.

Section 1. A commercial feed, other than customer formula feed, shall be labeled with the information prescribed in this administrative regulation on the principal display panel of the product and in the following format:

- (1) Product name and brand name, if any, in conformance with 12 KAR 2:016;
- (2) If a drug is used, the word "medicated" shall appear directly following and below the product name in type size no smaller than one-half (1/2) the type size of the product name;
- (3) Product purpose statement as required by 12 KAR 2:017;
- (4) If a drug is used:
 - (a) The purpose of medication (claim statement); and
 - (b) An active drug ingredient statement listing the active drug ingredients by their established names and the amounts in accordance with 12 KAR 2:021, Section 4;
- (5) The guaranteed analysis of the feed as required by KRS 250.521(1)(b) and 12 KAR 2:018;
- (6) The listing of feed ingredients as required by 12 KAR 2:026;
- (7) Directions for use and precautionary statements as required by 12 KAR 2:031 and 12 KAR 2:036;
- (8) Name and principal mailing address of the manufacturer or person responsible for distributing the feed. The principal mailing address shall include the street address, city, state, and zip code; however, the street address may be omitted if it is shown in a readily accessible, widely published, and publically available resource, including but not limited to a printed directory, electronic database, or website~~the current city directory or telephone directory of the city or county where the manufacturer or distributor maintains his principal place of business~~; and
- (9) The quantity statement of the net weight, net volume, or count.

Section 2.

- (1) The information required by Section 1 of this administrative regulation shall appear in its entirety on one (1) side of the label or container, except the information required by Section 1(7) of this administrative regulation may be placed on a different side of the label or container if it is displayed in a prominent place on the label or container. If the information is placed on a different side, it shall be referenced on the front side with a statement indicating where the information is located.
- (2) The information required by Section 1 of this administrative regulation shall not be subordinated or obscured by other statements or designs.

Section 3. Customer-formula feed shall be accompanied by a label, invoice, delivery ticket, or other shipping document bearing the following information:

- (1) The name and address of the manufacturer;
- (2) The name and address of the purchaser;
- (3) The date of sale or delivery;
- (4) The customer-formula feed name and brand name, if any;
- (5) The product name and net quantity of each registered commercial feed and each other ingredient used in the mixture;
- (6) The directions for use and precautionary statements as required by 12 KAR 2:031 and 12 KAR 2:036; and
- (7) If a drug-containing product is used:
 - (a) The purpose of the medication (claim statement); and
 - (b) The established name of each active drug ingredient and the level of each drug used in the final mixture as required by 12 KAR 2:021.

DR. JAMES MATTHEWS, Director

APPROVED BY AGENCY: September 10, 2025

FILED WITH LRC: September 11, 2025 at 10:50 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 24, 2025, at 9:00 a.m., at the offices of the Division of Regulatory Services, 1600 University Court, Lexington, Kentucky 40546. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2025. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: G. Alan Harrison, Feed & Milk Director, University of Kentucky Division of Regulatory Services, 103 Regulatory Services Building, Lexington, Kentucky 40546, phone (859) 257-2785, fax (859) 323-9931, email alan.harrison@uky.edu.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:G. Alan Harrison

Subject Headings:Agriculture, Animals: Livestock and Poultry, Equine and Horses, Consumer Protection

(1) Provide a brief summary of:

(a) What this administrative regulation does:

Establishes a uniform label format for a commercial feed.

(b) The necessity of this administrative regulation:

To establish a uniform format for labeling of feeds to allow consumers to evaluate nutritional quality and compare products.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

Helps allow for the efficient enforcement of KRS 250.491 to 250.631, regarding commercial feeds.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

Establishes criteria for proper labeling of feeds.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

Expands the options of guarantors of commercial feed to omit the street address on a label. Current regulation does not include websites.

(b) The necessity of the amendment to this administrative regulation:

Replacing dated language.

(c) How the amendment conforms to the content of the authorizing statutes:

Replacing dated language.

(d) How the amendment will assist in the effective administration of the statutes:

No substantive change but recognizing websites that list guarantor addresses.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?No

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Firms which register commercial feeds in Kentucky will be affected by this administrative regulation.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

No action required by distributors of animal feed. No significant action required by manufacturers of animal feed.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

No cost.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

No significant benefit to distributors of animal feed.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

No cost.

(b) On a continuing basis:

No cost.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

The Division of Regulatory Services regular annual budget is the source of funding.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

No new fees and no increase in existing fees.

(10) TIERING: Is tiering applied?

No, this administrative regulation treats all regulated entities the same.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 250.571

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

KRS 250.571

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

University of Kentucky Division of Regulatory Services

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:No fiscal impact

For subsequent years:No fiscal impact

2. Revenues:

For the first year:No fiscal impact

For subsequent years:No fiscal impact

3. Cost Savings:

For the first year:No fiscal impact

For subsequent years:No fiscal impact

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

No impact on local entities

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:No impact

For subsequent years:No impact

2. Revenues:

For the first year:No impact

For subsequent years:No impact

3. Cost Savings:

For the first year:No impact

For subsequent years:No impact

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

No impact on other entities

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:No impact

For subsequent years:No impact

2. Revenues:

For the first year:No impact

For subsequent years:No impact

3. Cost Savings:

For the first year:No impact

For subsequent years:No impact

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

No impact

(b) Methodology and resources used to reach this conclusion:

Minor changes in regulation affect only guarantors of animal feed.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

No

(b) The methodology and resources used to reach this conclusion:

Minor changes in regulation affect only guarantors of animal feed.

FEDERAL MANDATE ANALYSIS COMPARISON

(1) Federal statute or regulation constituting the federal mandate.

Federal Food, Drug, and Cosmetic Act and C.F.R. 21

(2) State compliance standards.

In harmony with federal standards.

(3) Minimum or uniform standards contained in the federal mandate.

Standards developed by the Association of American Feed Control Officials are in harmony with federal standards.

(4) Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?

No

(5) Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.

N/A