

**Agricultural Experiment Station
(Amended at ARRS Committee)**

12 KAR 3:027. Ingredients.

RELATES TO: KRS 250.501, 250.521, 7 C.F.R. Part 205, C.F.R. Title 9, 21

STATUTORY AUTHORITY: KRS 250.521(1)(c), 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 efficient enforcement of KRS 250.491 to 250.631. KRS 250.521(1)(c) requires that a commercial feed label list the common or usual name of each ingredient used in the manufacture of a commercial feed, unless the director promulgates an administrative regulation permitting the use of a collective term for a group of ingredients. This administrative regulation establishes the required format for listing ingredients on the label of pet foods and specialty pet foods.

Section 1. Each ingredient of a pet food or specialty pet food shall be listed in the ingredient statement as established in subsections (1) through (4) of this section.

(1) The names of all ingredients in the ingredient statement shall be shown in letters or type of the same size, style, and color, ~~unless except where~~ the defined name of the ingredient includes genus and species, (for example ~~e.g.~~, microorganisms) which may be shown in italics.

(2) The ingredients shall be listed in descending order by their predominance by weight in non-quantitative terms, ~~unless except iff~~ the ingredient is a vitamin and, if applicable, ~~and/or~~ mineral premix, in which case the premix may be declared in order of predominance by the name "vitamins" or "minerals," as appropriate, followed by a parenthetical listing of all the vitamins and, if applicable, ~~and/or~~ minerals in the premix, each in their order of predominance by weight as listed on the ingredient statement of the premix label.

(3) Ingredients shall be listed and identified by the name and definition established by the Association of American Feed Control Officials (AAFCO) Official Common or Usual Names and Definitions of Feed Ingredients, incorporated by reference in 12 KAR 3:012, unless the ~~except any~~ ingredient is not included in the ~~for which no~~ AAFCO ingredient name list, in which case the ingredient ~~exists~~ shall be identified by the common or usual name;~~AAFCO.~~

(4) Any ingredient suitable for use in pet food or specialty pet food for which there is a codified standard of identity in Title 9 or 21 of the Code of Federal Regulations shall be declared in accordance with the applicable federal regulation, which shall include ~~includes~~ the name of the standardized food followed by a parenthetical listing of its ingredients, if necessary, as established ~~provided~~ in the federal regulation;~~for which no name and definition have been so established shall be identified by the common or usual name of the ingredient.~~

(5) The ingredients "meat," "poultry," "poultry by-products," or "meat by-products" shall be qualified to designate the animal from which the ingredients are derived unless the meat or meat by-products are derived from cattle, swine, sheep, goats, or any combination thereof, ~~or~~ the poultry or poultry meal ~~are~~ derived from chickens, turkeys, ducks, geese, guineas, ratites, or squabs ; ~~or~~ any combination thereof. For example, ingredients derived from deer shall be listed as "venison" or "venison by-products . "

(6) For ingredients consisting of fish, "fish meal," or "fish by-products," the name of the ingredient may include "fish" without further specification of the type of the fish or if ~~the fish~~ ~~it~~ bears a name descriptive of its kind (~~for example~~ ~~e.g.~~ , "ocean whitefish" or by using the acceptable market name or names ~~name(s)~~ or common name (but not any vernacular or slang names) of the individual fish species in the ingredient as established by the FDA Seafood List), it shall ~~must~~ correspond thereto . ~~and~~

(7) For purposes of ingredient labeling of pet food or specialty pet food, the ingredient "sugar" shall refer to sucrose, which shall be ~~is~~ obtained from sugar cane or sugar beets in accordance with the provisions in Title 21 of the Code of Federal Regulations. For all other labeling purposes outside the ingredient list, the term "sugar" shall be synonymous with "sugars" as defined in the Official Feed Terms.

~~{Section 2.} {The ingredients "meat" or "meat by-products" shall be qualified to designate the animal from which the meat or meat by-products are derived unless the meat or meat by-products are derived from cattle, swine, sheep, goats, or any combination thereof. For example, ingredients derived from horses shall be listed as "horsemeat" or "horsemeat by-products".}~~

Section 2.

~~(1) {Section 3.} Brand or trade names shall not be used in the ingredient statement.~~

(2) Reference to quality or grade of the ingredient shall not appear in the ingredient statement.

~~{Section 4.} {The quality, nature, form, or other attribute of an ingredient may be referenced if:}~~

~~{(1)} {The designation is not false or misleading;}~~

~~{(2)} {The ingredient imparts a distinctive characteristic to the pet food or specialty pet food because it possesses that attribute; and}~~

~~{(3)} {A reference to quality or grade of the ingredient does not appear in the ingredient statement.}~~

Section 3. If properly used as established ~~specified~~ by the USDA National Organic Program (7 C.F.R. ~~CFR~~ Part 205), the term "organic" shall ~~does~~ not apply to Section 3 of this administrative regulation.

Section 4. A reference to the nature, form, or other attribute of an ingredient ~~may~~ ~~shall~~ be included ~~allowed~~ in the ingredient statement if ~~when~~ that attribute imparts a distinctive characteristic to the pet food or specialty pet food.

Section 5. Any reference to the percentage or combination of ingredients, by symbol or word, in the brand or product name or elsewhere on a pet food or specialty pet food, shall be based in relation to the total weight of all ingredients in the product.

(1) The names of the ~~ingredient or ingredients~~ ~~ingredient(s)~~ shall appear in order of predominance by weight in the product, and the ~~provided that~~ names of flavors due to their varying intensity ~~may~~ ~~can~~ be in any order.

(2) If ~~Where~~ water sufficient for processing is excluded from the declared percentage, the exclusion of water shall be indicated in words juxtaposed to, the same style and color print, and at least one-half the print size of the stated percentage (~~for example~~ ~~e.g.~~ , "95% beef exclusive of water" or "95 percent chicken and liver exclusive of water").

~~{Section 5.} {Incorporation by Reference.}~~

~~{(1)} {"2023} {2018}[["Official Publication", ({2023}{2018} Edition), Association of American Feed Control Officials, is incorporated by reference.]~~

~~{(2)} {This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of Regulatory Services, 103 Regulatory Services Building, College of Agriculture, University of Kentucky, Lexington, Kentucky 40546-0275, Monday through Friday, 8 a.m. to 4:30 p.m.}~~

FILED WITH LRC: March 9, 2026

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