I Want to Make and Sell Pet Treats in Indiana

What do I need to do?



Obtain a Commercial Feed License

- Everyone must be licensed regardless of company size or amount distributed.
- Indiana Commercial Feed license is $50 annually
- Print and fill out the Indiana Commercial Feed License Application **before** pet food distribution
- If selling packages of 10 lbs or less, a Pet Food Listing Form must also be included. It is $50 per product.
- Mail forms and check for appropriate fees to the Office of Indiana State Chemist. We do not accept credit cards at this time.

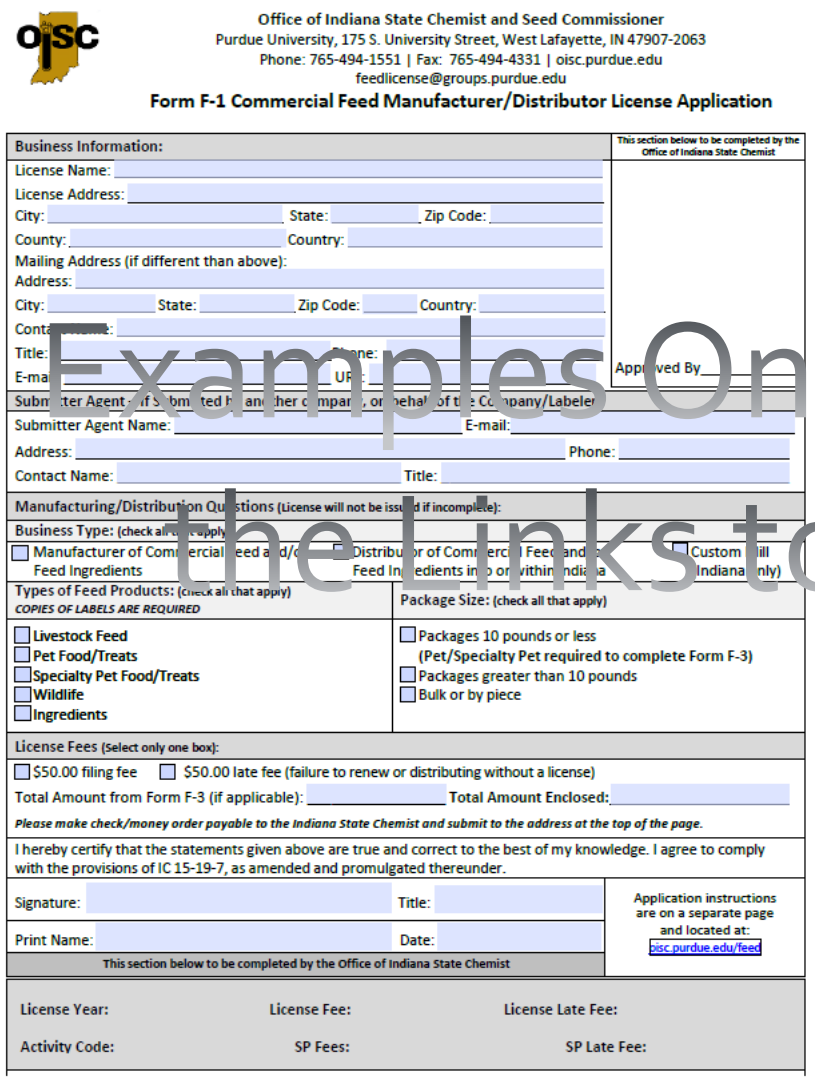


Indiana Commercial Feed Manufacturer/Distributor License Application

(Required by everyone)

Pet Food Products List

(Only required when selling pet or specialty pet food/treats in packages 10 lbs or less)



Office of Indiana State Chemist and Seed Commissioner
Purdue University, 175 S. University Street, West Lafayette, IN 47907-2063
Phone: 765-494-1551 | Fax: 765-494-4331 | oisc.purdue.edu
feedlicense@groups.purdue.edu

Form F-1 Commercial Feed Manufacturer/Distributor License Application

Business Information: (This section below to be completed by the Office of Indiana State Chemist)

License Name:
License Address:
City: State: Zip Code:
County: Country:
Mailing Address (if different than above):
Address:
City: State: Zip Code: Country:
Contact Name:
Title: Phone:
E-mail: URL:
Approved By

Submitter Agent (if submitted by another company, on behalf of the Company/Labeler)

Submitter Agent Name: E-mail:
Address: Phone:
Contact Name: Title:

Manufacturing/Distribution Questions (License will not be issued if incomplete):

Business Type: (check all that apply)

☐ Manufacturer of Commercial Feed and/or Feed Ingredients ☐ Distributor of Commercial Feed and/or Feed Ingredients into or within Indiana ☐ Custom Mill (Indiana only)

Types of Feed Products: (check all that apply) *COPIES OF LABELS ARE REQUIRED*

☐ Livestock Feed
☐ Pet Food/Treats
☐ Specialty Pet Food/Treats
☐ Wildlife
☐ Ingredients

Package Size: (check all that apply)

☐ Packages 10 pounds or less (Pet/Specialty Pet required to complete Form F-3)
☐ Packages greater than 10 pounds
☐ Bulk or by piece

License Fees (Select only one box):

☐ $50.00 filing fee ☐ $50.00 late fee (failure to renew or distributing without a license)

Total Amount from Form F-3 (if applicable): Total Amount Enclosed:

Please make check/money order payable to the Indiana State Chemist and submit to the address at the top of the page.

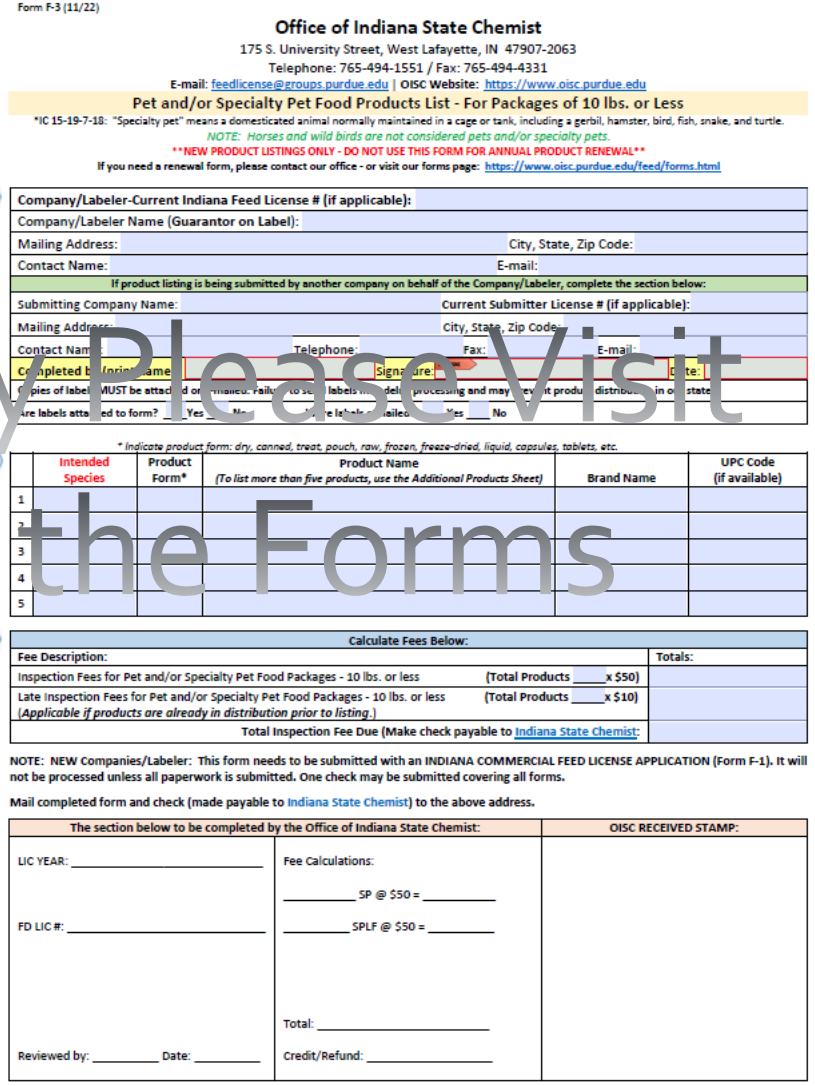
I hereby certify that the statements given above are true and correct to the best of my knowledge. I agree to comply with the provisions of IC 15-19-7, as amended and promulgated thereunder.

Signature: Title:
Print Name: Date:

Application instructions are on a separate page and located at: oisc.purdue.edu/feed

This section below to be completed by the Office of Indiana State Chemist

License Year: License Fee: License Late Fee:
Activity Code: SP Fees: SP Late Fee:



Form F-3 (11/22)

Office of Indiana State Chemist
175 S. University Street, West Lafayette, IN 47907-2063
Telephone: 765-494-1551 / Fax: 765-494-4331
E-mail: feedlicense@groups.purdue.edu | OISC Website: https://www.oisc.purdue.edu

Pet and/or Specialty Pet Food Products List - For Packages of 10 lbs. or Less

*IC 15-19-7-18: "Specialty pet" means a domesticated animal normally maintained in a cage or tank, including a gerbil, hamster, bird, fish, snake, and turtle.
NOTE: Horses and wild birds are not considered pets and/or specialty pets.
NEW PRODUCT LISTINGS ONLY - DO NOT USE THIS FORM FOR ANNUAL PRODUCT RENEWAL
If you need a renewal form, please contact our office - or visit our forms page: https://www.oisc.purdue.edu/feed/forms.html

1. Company/Labeler-Current Indiana Feed License # (if applicable):
Company/Labeler Name (Guarantor on Label):
Mailing Address: City, State, Zip Code:
Contact Name: E-mail:
If product listing is being submitted by another company on behalf of the Company/Labeler, complete the section below:
Submitting Company Name: Current Submitter License # (if applicable):
Mailing Address: City, State, Zip Code:
Contact Name: Telephone: Fax: E-mail:
Completed by (print name): Signature: Date:
Copies of labels MUST be attached or emailed. Failure to send labels will delay processing and may prevent product distribution in or from state
Are labels attached to form? ___Yes ___No Emailed? ___Yes ___No

2. ** Indicate product form: dry, canned, treat, pouch, raw, frozen, freeze-dried, liquid, capsules, tablets, etc.*

	Intended Species	Product Form*	Product Name (To list more than five products, use the Additional Products Sheet)	Brand Name	UPC Code (if available)
1					
2					
3					
4					
5					

3. **Calculate Fees Below:**

Fee Description:		Totals:
Inspection Fees for Pet and/or Specialty Pet Food Packages - 10 lbs. or less	(Total Products ____ x $50)	
Late Inspection Fees for Pet and/or Specialty Pet Food Packages - 10 lbs. or less (*Applicable if products are already in distribution prior to listing.*)	(Total Products ____ x $10)	
Total Inspection Fee Due (Make check payable to Indiana State Chemist:		

NOTE: NEW Companies/Labeler: This form needs to be submitted with an INDIANA COMMERCIAL FEED LICENSE APPLICATION (Form F-1). It will not be processed unless all paperwork is submitted. One check may be submitted covering all forms.

Mail completed form and check (made payable to Indiana State Chemist) to the above address.

The section below to be completed by the Office of Indiana State Chemist: | **OISC RECEIVED STAMP:**

LIC YEAR:
FD LIC #:
Reviewed by: Date:

Fee Calculations:
___ SP @ $50 = ___
___ SPLF @ $50 = ___
Total:
Credit/Refund:

Examples Only, Please Visit the Links to the Forms

Product Labeling

- All products must be properly labeled
  - All labels must comply with the Indiana Commercial Feed Law
  - Labels must accompany the treat or food throughout distribution
  - Find more information and example labels on our Pet Food Resources Page



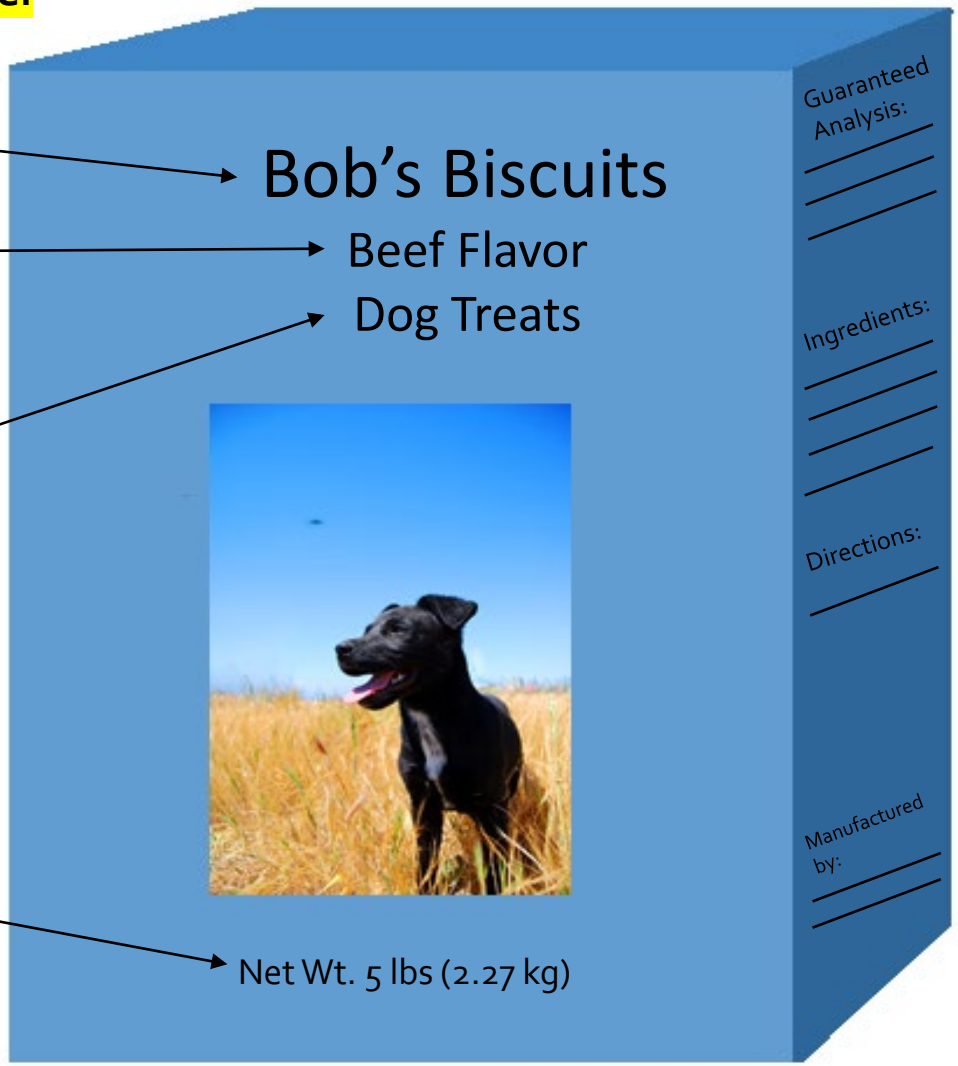
What must be on every label?

- Brand name (if any)
- Product name
- Intended species
- Intended use
- Guaranteed analysis
- Ingredient Statement
- Directions for use
- Manufacturer or distributor name, city, state, zip code
- Quantity statement in US standard and metric units

What must be on every label?

These items must be on front of label

These items may be on front, side or back of label



Brand name

Product name

Intended Species and Intended Use

Quantity statement

Guaranteed analysis

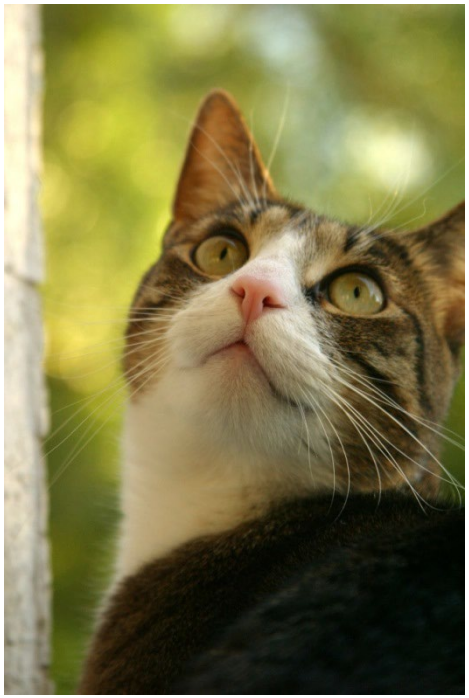
List of ingredients

Directions for use

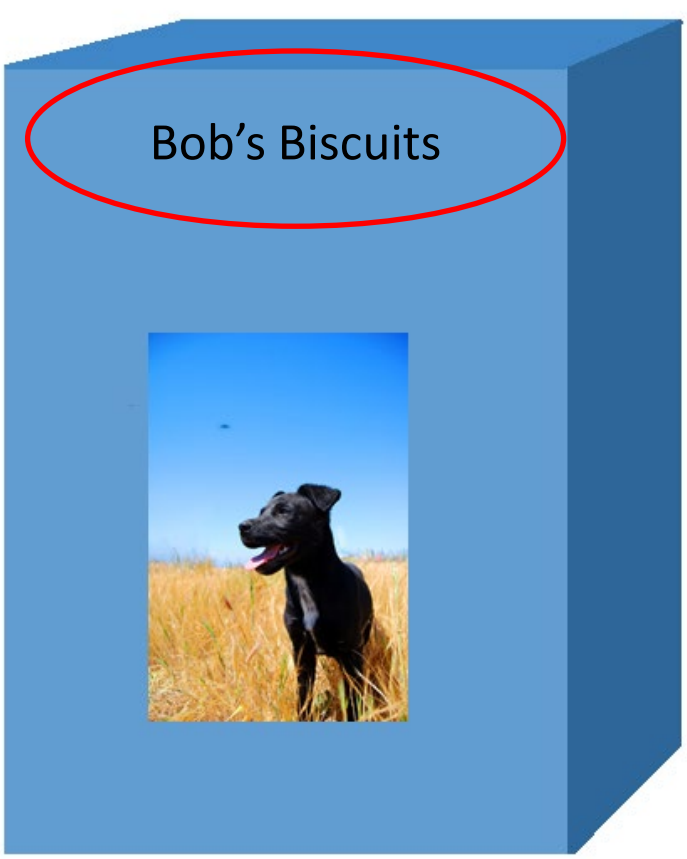
Manufacturer or distributor name and address

Product Name

- Product must be identified with a name that conforms to the label and labeling
- If more than one product is produced, each product must be clearly and uniquely named



Product Name



First product



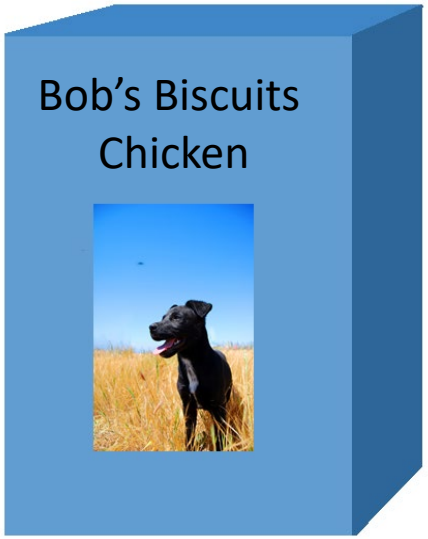
Second product

Product Naming Rules

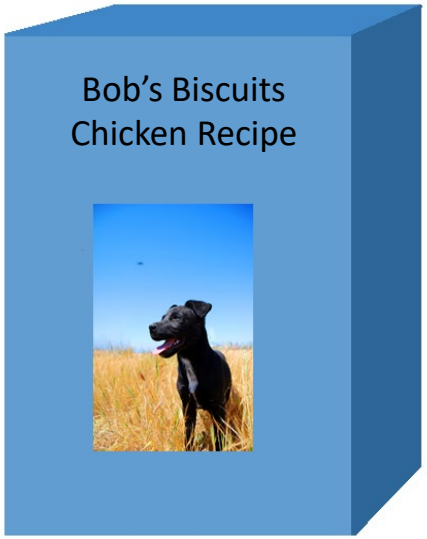
Product names that include ingredients must follow IC 15-19-7-27.5

- When ingredients are used in the name of the product they must together total at least 95% of the weight of the product.
- Or a descriptor word must be used along with the ingredients in the product name:
  - If the ingredient(s) in the name together total at least 25% of the weight of the product, a descriptor word such as "Formula" or "Recipe" must also be used in the product name. If multiple ingredients are used in the product name, each ingredient must individually make up at least 3% of the weight of the product.
    Example: Apple Recipe Dog Treats
  - If the ingredient(s) in the name make up at least 3% of the product, the word "With" needs to be used before the ingredients in the product name.
    Example: Dog Treats With Apple
  - If the word "Flavor" or "Flavored" is used, there must only be something in the ingredients that could give the flavor of the ingredient(s) in the product name.
    Example: Apple Flavor Dog Treats
- The descriptor word must be in the same size, style, color and case print as the ingredients in the product name.
- The ingredients in the product name must be listed in order of predominance by weight in the product, such as in the ingredient statement (most to least).

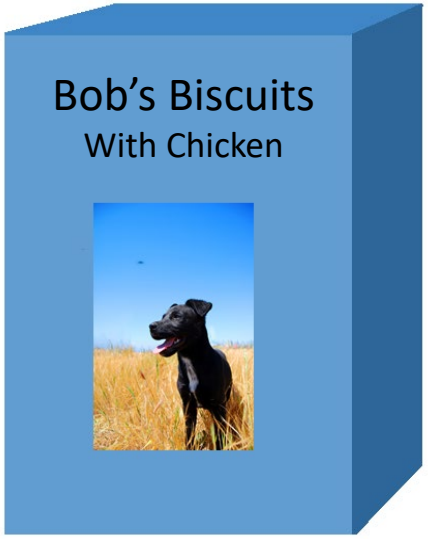
Product Naming Rules



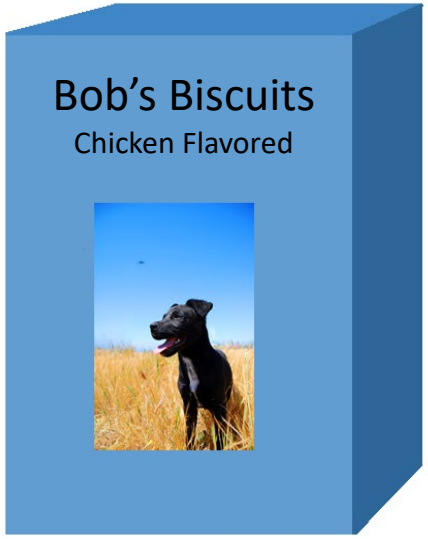
≥95% Chicken



≥25% Chicken



≥3% Chicken



Chicken is included

Intended Species

- The intended species must be identified in words on the principal display panel (front of label)
  - Dog, Cat, etc.
- The intended species may be located in the product name, but this is not required



A picture is not a good enough way to identify the intended species!

Intended Use



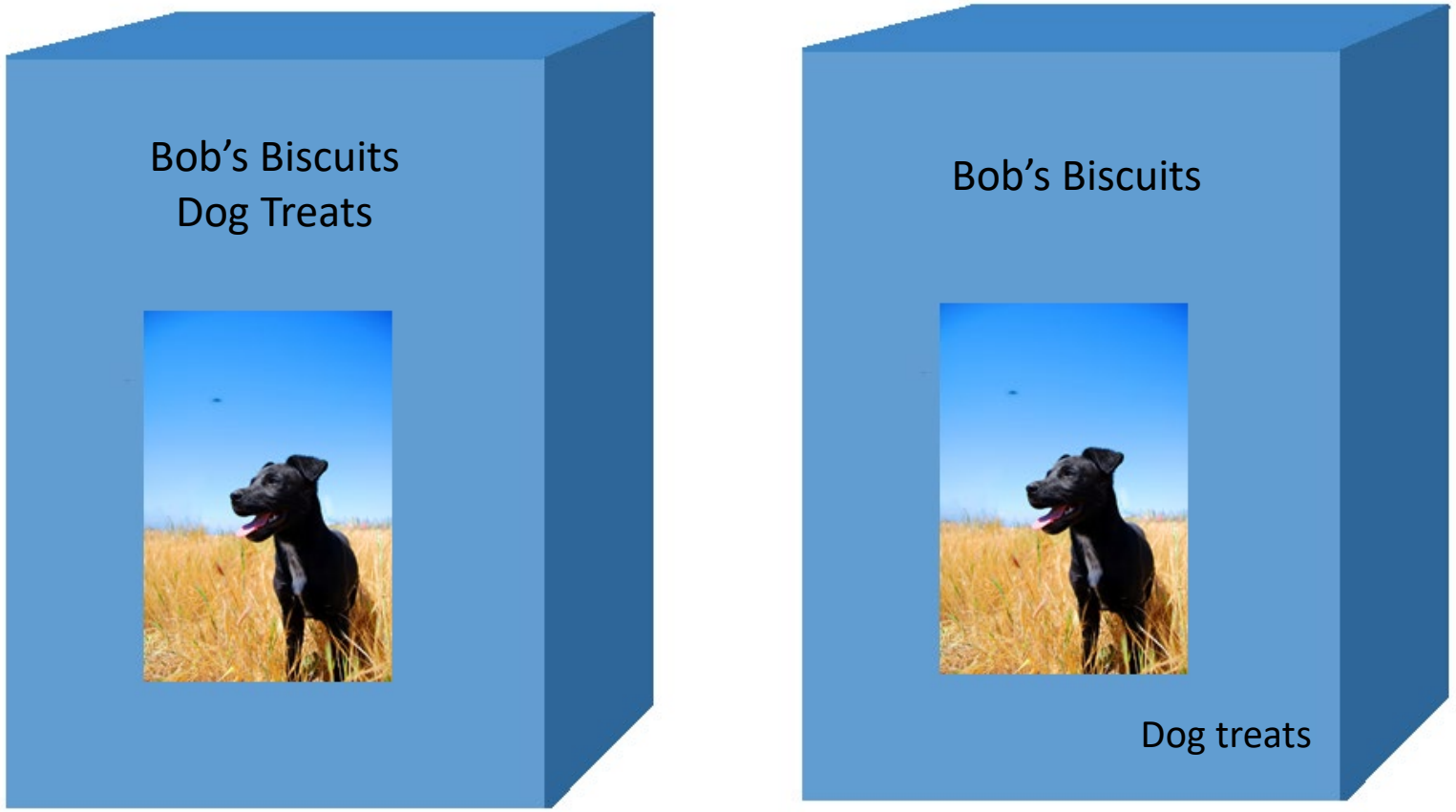
Treat or Snack must be on the front of the label.

OR

The following statement must be verbatim elsewhere on the label:

"This product is intended for intermittent or supplemental feeding only"

Intended Use



The intended use may be in the product name but does not have to be

Guaranteed Analysis

Crude Protein (Minimum %)

Crude Fat (Minimum %)

Crude Fiber (Maximum %)

Moisture (Maximum %)

- The guaranteed analysis must have the heading **Guaranteed Analysis** and be in the order given above.
- Voluntary guarantees may be claimed and listed as specified in the law.
- If the label and/or labeling (including websites and social media) references other nutrients, then the nutrients referenced must be guaranteed in the guaranteed analysis on the product label.

Guaranteed Analysis



Guaranteed Analysis:

Crude Protein, min x %
Crude Fat, min x %
Crude Fiber, max x %
Moisture, max x %

An analysis can be performed by a laboratory of your choice . Food analysis laboratories may be found through an internet search. It is best to call around to get the best price.

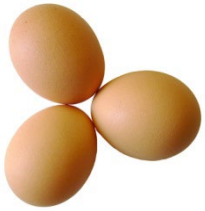
OISC does not recommend any one laboratory.

Ingredient Statement

- AAFCO approved ingredient terms must be used or
- Common or usual name of all ingredients used
- If one ingredient consists of multiple ingredients, each ingredient must be listed instead of the product name or parenthetically after the ingredient.
- Example: whole wheat crackers could be listed as:
  - whole wheat flour, eggs, soybean oil, salt

  or
  - whole wheat crackers (whole wheat flour, eggs, soybean oil, salt)





Ingredient Statement

For a treat made of whole wheat crackers and peanut butter:



Ingredients: Whole wheat flour, peanuts, soybean oil, eggs, sugar, salt

OR

Ingredients: Whole wheat crackers (Whole wheat flour, eggs, soybean oil, salt), Peanut butter (peanuts, soybean oil, sugar, salt)

Ingredients must be listed by decreasing predominance by weight

Ingredient Statement

- All ingredients must be approved by either:
  - The Food and Drug Administration (FDA)
  - Association of American Feed Control Officials (AAFCO)

- If you have a concern or question, contact us prior to making and distributing the product
  - Hours: Mon-Fri, 8 a.m. - 5 p.m.
  - (765) 494-1611

Ingredient Statement

Safe for humans does not mean safe for pets!

Food	Not safe	
	Dogs	Cats
Chocolate	✗	✗
Onion	✗	✗
Grapes/Raisins	✗	✗
Coffee	✗	✗
Garlic	✗	✗

This is not an all inclusive list. Please contact us if you have any questions.

Directions for Use

- **Complete and Balanced Diet**:
  - Feeding directions must be stated for each life stage the label is claiming
  - Must conform to AAFCO nutrient profile for intended species

- **Treats and Snacks**:
  - Must state "treat" or "snack" on principle display panel (front)
  - Or state "This product is intended for intermittent or supplemental feeding only"

Directions for Use



Directions:
Feed as a treat
This product is intended for intermittent or supplemental feeding only

If Bob's was a dog food:
Example Directions:

Feed X cups per 10 lbs body weight daily, split over 2+ feedings

Bob's Dog Food is formulated to meet the nutritional levels established by the AAFCO Dog Food Nutrient Profiles for maintenance.

Manufacturer Information

- **Party responsible** – Name of business/company
  - Must match name on your Indiana Commercial Feed License



- **Location** - City, state, and zip code of business
  - A mailing address can be included, but is not required

Websites or social media contacts are allowed, but the above information is still required.

Manufacturer Information

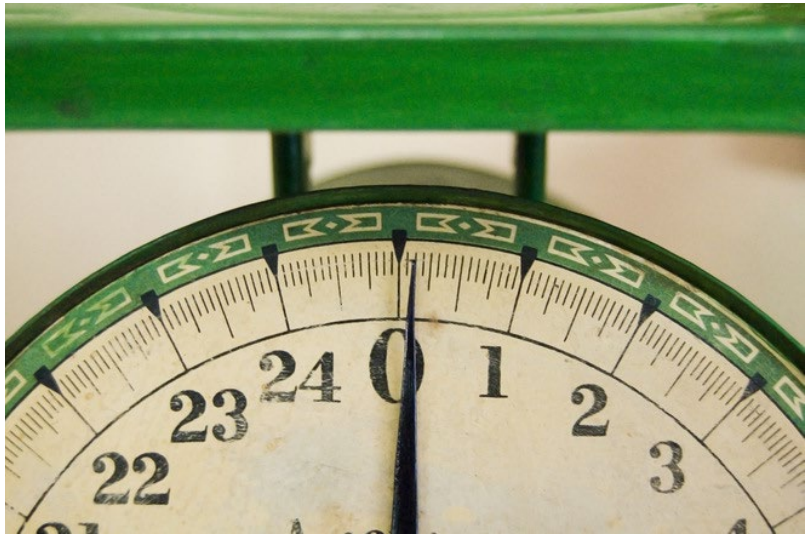


Manufactured By:

Bob's Biscuits
175 S. University St.
West Lafayette, IN 47907

Quantity Statement

- May be in:
  - Units of weight or volume
  - By count
- If using units of weight or volume, please state in both the US Standard and metric units of measurement



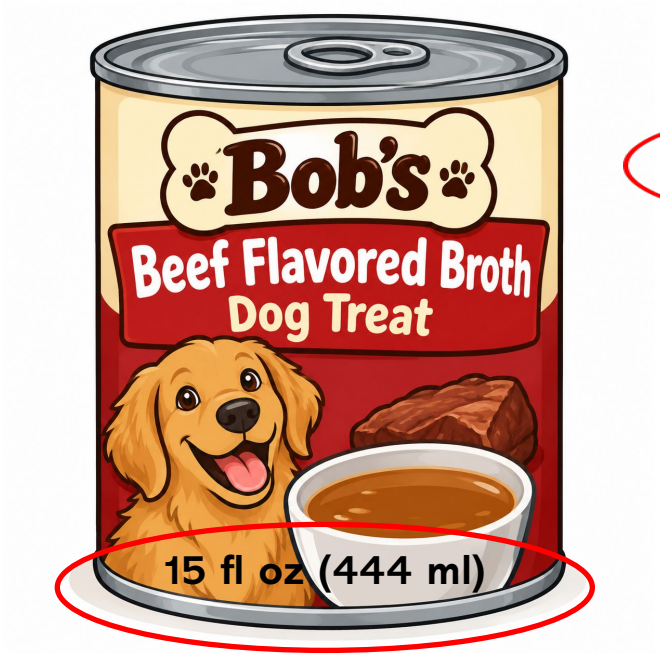
Example:

Net Wt. X lb. (X g)

Quantity Statement



By Count



By Volume



By Weight

Distribution

- If treats are distributed to the customer in packages greater than 10 lbs in weight or in bulk/by piece (not prepackaged)
  - Company must file a quarterly tonnage report with our office
- Minimum fee of $5.00 per calendar quarter or $0.40 a ton, whichever is greater
- Quarterly tonnage reports are mailed at the end of each calendar quarter to appropriate licensees
- If the tonnage report is delinquent, late penalty fees will be assessed, which is 10% of fees due or $50.00, whichever is greater

Small Package

- $50 license + $50/product
- Products are prepackaged in bags, boxes, containers, etc. <u>10 pounds or less</u>
- Label is on each package



Tonnage

- $50 license + $5/quarter
- Products are not sold prepackaged.
- Label is on container that stores the treats



Common Questions & Answers

Q: I make three types of biscuits to sell at the local farmer's market. Do I need to get labels printed for them and pay $200.00?

A: It depends on how you are selling them.

- IF you are pre-packaging the treats in small bags (10 lbs or less), then yes
- IF you are selling them in bulk/by the unpackaged piece, then a complete label must be present for each treat, but you would pay the quarterly tonnage



Common Questions and Answers

Q: I take my treats to the farmer's market in one pound bags to sell, what do I have to do?

A: You must label each bag and the $50 annual fee must be paid to our office for each product



Common Questions & Answers

Q: I take my treats to the farmer's market in a box, the customer may pick one, two, or as many treats as they want. What do I have to do?

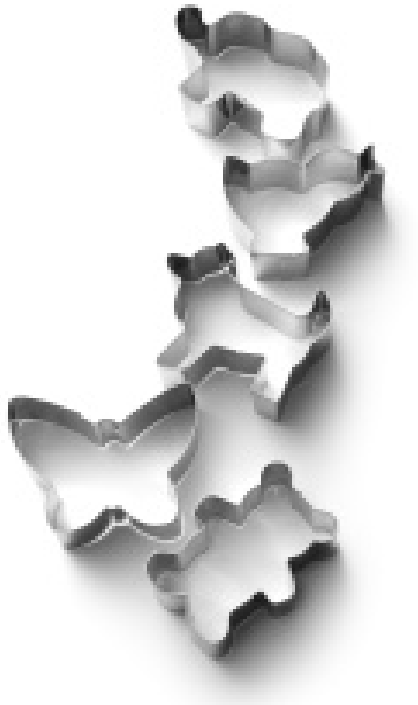


A: You must:

- Label the container in which the treats are stored, making sure it is visible to the customer.
- File a quarterly tonnage report ($5.00 per calendar quarter)

Common Questions & Answers

Q: I have one recipe/formula for dog treats that I sell in 1 lb bags. I have bone shapes, cat shapes, mailman shapes and others. Do I owe $50.00 for each shape?



A: It depends. If the nutritional value, ingredients, product name are the same, regardless of the shape it comes in, it may be considered 1 product.

However, if the product name, ingredients, or nutritional value are different, they are considered different products.

Common Questions & Answers

Q: I make one recipe/formula, of dog treat. I put yogurt icing on top of some of them. Does this make the product different?



A: Yes, because you have changed the nutritional value of the treat by adding another ingredient. Therefore it is a new product and is required to be labeled accordingly. Another $50 annual product fee would be due

Common Questions & Answers

Q: I have three recipes/formulas, and I want to combine them into a variety pack. How do I label them?

A: Depends on how they are packaged.

1. If they are all mixed in a package together there must be a label with one guaranteed analysis and one ingredient list for the entire package as if the contents were ground up together.

2. If they are in separate packages within the outer package, you must provide a label with a guaranteed analysis and ingredient list for each formula in the variety pack.

Common Questions and Answers

Q: I add beef bullion to my treats. Can I tell my customers that it is beef flavored?

A: Yes. If an ingredient imparts a flavor or distinction to the treat, that may be stated.

- If it is an artificial flavor, it must be stated whenever the flavor is mentioned. It must be truthful and not misleading.



Common Questions & Answers

Q: I want to make a dog treat but I have no idea how to figure the crude protein, crude fat, crude fiber or moisture. Will you do that?

A: No, but you may send samples to a laboratory and they can be analyzed for a fee. Food analysis labs can be found through an internet search. Some guarantees may be calculated if you know the ingredient values. You will want to call around to get the best price.

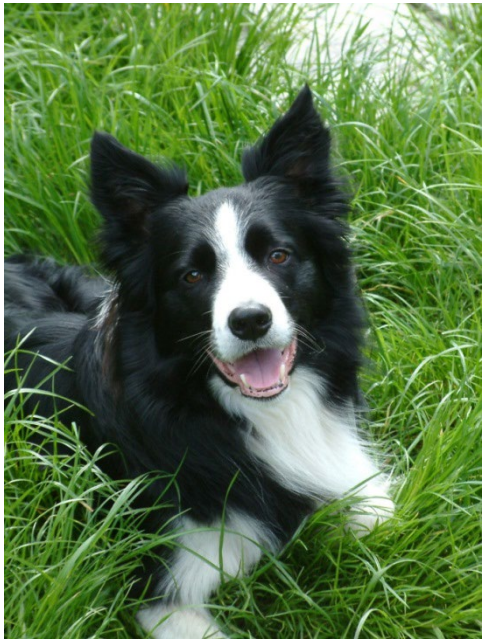


The OISC does not endorse any laboratories

Common Questions and Answers

Q: Do you test treats for regulatory purposes?

A: Our office collects random samples of all types of animal feeds and analyzes them for nutrient content and potential hazards. The Indiana Commercial Feed Law empowers our inspectors to collect samples offered for retail distribution during normal business hours.



Common Questions and Answers

Q: I bake my treats at home. Do you inspect my kitchen?

A: We have the authority to inspect where any animal food is made during normal business hours under IC 15-19-734.5 and IC 15-19-7-35. These inspections may be announced or unannounced.

We also investigate consumer complaints if an animal has become ill or died and a veterinarian suspects the product.



Common Questions and Answers

Q: I want to call my treats all natural - may I?

A: You may if it's true. Most foods will not be all natural because they contain minerals, vitamins, and preservatives. So the statement must be qualified.



Common Questions and Answers

Q: May I put on my labels that my treats are human grade?

A: In order to put this claim on the label and/or labeling (including websites and social media) you must provide the following information to the Office of Indiana State Chemist

- Documentation to substantiate that all ingredients and the resulting product are processed, handled, stored, and transported in a manner in compliance with 21 CFR 507
- Evidence that the manufacturing facility is licensed to produce human food
- Supplier specification sheets for each ingredient
- Letters of guarantee from each supplier that the ingredients are human food grade

Can I Sell Raw Milk in Indiana?

Yes, but only for animal consumption. In IN the sale of raw milk for human consumption is prohibited.

Same requirements as selling pet food and treats except the label must also contain

Not for Human Consumption

prominently on the front of the label.

What must be on Raw Milk labels?

- Brand name (if any)
- Product name
- **Not for Human Consumption** - prominently on front of label
- Intended species
- Intended use
- Guaranteed analysis
- Ingredient statement
- Directions for use
- Manufacturer or distributor name, city, state, zip code
- Quantity statement in US standard and metric units

More Information

Please see more helpful information on the Pet Food Resources page on our website



Most importantly…
Contact us!



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175 S. University St.
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Pet Food Specialist
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