



Office of

**INDIANA STATE CHEMIST AND SEED COMMISSIONER**

*Protecting Indiana's Agriculture and Environment - Feed, Fertilizer, Hemp, Pesticide and Seed*

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### Indiana Pet Food Sales

To sell pet food in Indiana you must obtain a Commercial Feed License. The application can be found on our website <https://www.oisc.purdue.edu/feed/forms.html>. The Indiana Commercial Feed Law can be found at [https://www.oisc.purdue.edu/oisc\\_rules\\_regs\\_laws.html#feedlaws](https://www.oisc.purdue.edu/oisc_rules_regs_laws.html#feedlaws). It is \$50 annually for the Indiana Commercial Feed License.

The Indiana Home Based Vendor Laws Do Not apply to animal food.

For small packages (10 lbs. and under), a Pet Food Listing Form (F3) must be sent with the application. It is \$50 annually per product. If there are different ingredients, product name, brand name, or guaranteed analysis, it is a different product. Different size packages are not considered different products. However, if the labeling indicates the intention for a particular size of animal, then each size is a different product therefore would need its own product fee.

Packages over 10 lbs fall under our tonnage law. It is \$50 annually for the Indiana Commercial Feed License and \$0.40 per ton per calendar quarter with a minimum fee of \$5 per calendar quarter. A tonnage report will be mailed to you and must be completed and mailed to our office each quarter by the due date regardless of if anything was sold or not. If the tonnage report is late, there is a \$50 late fee. The products are not individually listed, but all labels must be submitted for review.

All packages must have a label with the following information:

Name of product – **must be on front of label**

Intended Species in words – **must be on front of label**

Intended Use – **must be on front of label**

Guaranteed Analysis

Nutritional Adequacy Statement

Ingredients in descending order of predominance by weight

Feeding instructions for each intended life stage

Net wt. X oz (X g) (note: English and metric unit) – **must be on front of label at the bottom 1/3 of the label**

Name and address of company – **company name in plain text next to city, state, and zip code**

Format for guaranteed analysis:

Guaranteed Analysis

Crude Protein (min) %

Crude Fat (min) %

Crude Fiber (max) %

Moisture (max) %

The best way to get the guaranteed analysis is by sending a sample to a lab. You can search for food analysis labs online to find options. It is always best to call around to get the best price. Our office does not provide this service, our lab only tests products for regulatory purposes.

Once you receive the lab analysis, you will need to use the “as received” analysis values and you will want to give the values some wiggle room on the guaranteed analysis. The minimum values must be set below the laboratory result. The maximum values must be set above the laboratory result. Please do not put 0% guarantees or 100% guarantees on the label.

If the product is intended as a complete and balanced diet, it must meet the AAFCO dog and/or cat food nutrient profiles for the intended life stage(s), and have the statement:

“(Product name) is formulated to meet the nutritional levels established by the AAFCO Dog (or Cat) Food Nutrient Profiles for (growth, all life states, or maintenance)”.

If the product is intended for dogs and states that it is for “growth” or “all life stages”, depending on if the product has been formulated to meet the maximum level of Calcium specifically referenced in the AAFCO Dog Food Nutrient Profiles as being applicable to large size growing dogs or not, one of the following phrases must also be added verbatim to the end of the nutritional adequacy statement (AAFCO statement),

“including growth of large size dogs (70 lb. or more as an adult)”

or

“except for growth of large size dogs (70 lb. or more as an adult)”

If the pet food does not meet the AAFCO Dog and/or Cat Food Nutrient Profiles, the statement “This product is intended for intermittent or supplemental feeding only” must be verbatim on the label.

#### Product Name

Each product must have a unique name to distinguish it from other products. In order for ingredients to be in the name of the product they must together total 95% of the weight of the product. Or a descriptor word must be used along with the ingredients in the product name:

- If the ingredients together total 25% of the weight of the product, a descriptor word such as “formula” or “recipe” must also be used in the product name.

Example: Apple Recipe Dog Food

- If the named ingredients make up 3% of the product, the word “with” needs to be used before the ingredients in the product name.

Example: Dog Food 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 Food

The descriptor word must be in the same size, style, and color font 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).

References to quality, nature, form, or other attributes of an ingredient are not allowed in the ingredient statement. However, they may appear on other parts of the label. Organic may be listed in the ingredient statement before the organic ingredients.

If nutrients are specifically referenced on a product label and/or labeling, they must be guaranteed in the guaranteed analysis.

Claims on pet food labels and/or labeling cannot indicate that the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease.

Pet food/treats cannot reference the USDA or make statements that imply “inspected” meat. Pet food/treats also cannot reference the FDA or state made in an FDA facility or FDA approved.

Human grade claims or claims that imply the food is human edible must be in reference to the product as a whole and meet the AAFCO Guidelines for “Human Grade”. The following documentation is required for substantiation of the claim:

1. A copy of the license or permit for the human food facility operating under current good manufacturing practices (GMPs) per 21 CFR 117, and the correlation between the licensed facility, the products and the guarantor listed on the labels
2. An affidavit or continuing letter of guarantee from each individual supplier of ingredients, which affirms human edible status of each ingredient
3. Standard product specifications for each ingredient
4. An ingredient listing summary that demonstrates correlation between each ingredient, manufacturer, and final product
5. Documentation to show that the products are handled, stored, processed, and transported in a manner compliant with 21 CFR 117 for human foods

#### Labeling requirements for human grade claims on pet food

The largest or most prominent use of the term “human grade” on each panel of the label and any labeling (brochures, point of sale materials, websites, etc.) must be juxtaposed with the statement of intended use (e.g. human grade dog food or human grade cat treats), in the same style, color print, and type size as the term “human grade”.

Information about AAFCO Human Grade Guidelines can be found on the AAFCO website by entering “Human Grade” in the search. AAFCO’s website can be found at <https://www.aafco.org/>.

All labeling rules and regulations regarding nutrient claims and other claims also apply for websites, social media, and all e-commerce sites.

CBD and other hemp derived products are prohibited for use in animal food/treats in Indiana.

If your product is raw, we strongly encourage you to indicate this on the front of the label and to have the statement “Not for Human Consumption” somewhere on the label. We also strongly recommend adding safe handling instructions. Please also review helpful information about raw pet food on the AAFCO website <https://www.aafco.org/>

Please see other helpful information at the following:

<https://oisc.purdue.edu/petfood/resources.html>

<https://www.aafco.org/consumers/understanding-pet-food/>

If you do not already have one, we strongly advise you purchase the AAFCO Official Publication and the Pet Food and Specialty Pet Food Labeling Guide <https://www.aafco.org/resources/official-publication/>

All product labels must be reviewed by our office, so please have them reviewed before printing expenses occur. Please send in a copy of all labels with the license application, products list (for products in packages 10 lbs. or less), and a check. We are unable to accept credit card payment at this time.

The labels may be emailed but it must be indicated on the paperwork that the labels have been emailed. When emailing labels, please include them as attachments with file name as the product name.

If you have any questions, please contact us.

Labeling questions - Katie Simpson [ksimpson@purdue.edu](mailto:ksimpson@purdue.edu) 765-494-1611

Licensing, product listing, payment questions – Kaycie Laughner [klaughne@purdue.edu](mailto:klaughne@purdue.edu) 765-494-1551