

*Pet Food Institute Public Comments on AAFCO Considering Proposal from Kansas State University Olathe to Establish new Regulatory Pathway for Animal Food Ingredients*

October 31, 2024

To: Association of American Feed Control Officials  
From: Pet Food Institute

Re: K-State Olathe Proposal Comment

Dear AAFCO,

The Pet Food Institute (PFI) is pleased for the opportunity to respond to the Association of American Feed Control Officials (AAFCO) on a Proposal from Kansas State University Olathe (KSUO) to Establish a New Regulatory Pathway for Animal Food Ingredients.

Established in 1958, PFI is the trade association and the voice of U.S. cat and dog food manufacturers. We are proud of our longstanding relationship as a partner and advisor with AAFCO committees.

PFI members account for the vast majority of the pet food and treats made in the United States, with more than \$64 billion in domestic annual dog and cat food and treats sales and annual exports of more than \$2.4 billion. PFI membership also includes companies that supply ingredients, equipment, and services to dog and cat food makers. We are proud to be providing food for dogs and cats in over 82 million U.S. households.

PFI's feedback is presented below in bulleted form and describes issues and concerns that AAFCO should consider while determining whether KSUO's proposal -- to serve as a scientific review panel that would replace the previous Memorandum of Understanding between AAFCO and the U.S. Food and Drug Administration (FDA) -- is the correct path forward in service to your members.

Before providing our list of considerations, let us make clear that PFI neither supports nor opposes this approach. Pet food makers actively encourage a streamlined regulatory structure that avoids as much as possible reliance upon regulatory discretion. However, we do not feel the food safety review proposed by KSUO nor the outcome of publishing in the AAFCO Official Publication will accomplish this aim.

That being said, through discussions with ingredient suppliers and other agricultural organizations focused on producing food and feed for a wide range of animal species, we recognize that many stakeholders have indicated that they choose to utilize the AAFCO ingredient approval process as the regulatory pathway for their ingredients.


PFI asks AAFCO to consider the following points when evaluating the KSUO proposal:

- Conflict of Interest
  - Public institutions like KSUO and other university programs are often funded by industry partners and could introduce the perception of decision-making bias.
  - This approach may introduce doubt in the minds of the general public as to the rigor of the reviews.
- Enforcement
  - Since regulatory enforcement of any ingredient approvals would be performed by FDA or states, all entities (including all states) would need to recognize this approach.
  - The proposal is remarkably similar to the current Self-Determined Generally Recognized as Safe pathway –not all states will accept this pathway and the KSUO approach may face a similar reaction.
  - If FDA does not endorse or codify ingredients that utilize this pathway, PFI members question whether such ingredients would pass regulatory/label scrutiny.
  - Some PFI members have commented that AAFCO needs to consider international acknowledgement of any ingredients approved in this way. While some countries accept and utilize those ingredients found in chapter six of the AAFCO Official Publication, it is believed that their rationale in doing so is based upon recognition of the FDA review as the scientific authority.
- Expertise
  - PFI seeks to understand better the selection process for the university experts, including how KSUO would maintain the continuity of the safety standard in the review process. We believe AAFCO should consider adopting FDA best practice for establishment of a GRAS review expert panel.
  - We note that the regulatory and academic rigor and burdens are often different. PFI questions whether the FDA fundamentals (validated methods, study design and data integrity) would remain the same during an academic review of ingredient safety.

Finally, PFI appreciates the desire for AAFCO to move forward quickly to create an ingredient approval process and allow for the Ingredient Definitions Committee work to continue unhindered in the absence of an MOU with FDA. However, the agency is currently working towards improvements to its federal process, including creation of the new interim pathway (AFIC) to be used for those ingredients, which previously would have followed the AAFCO approval process. We believe any process adopted by AAFCO should be flexible enough to fill in any gaps that may come once the FDA has finalized its work.

PFI appreciates the opportunity to provide feedback on the KSUO proposal.

Sincerely,



Dana Brooks  
President and CEO Pet Food Institute