



Guidance to Wisconsin Non-Medicated Animal Feed Manufacturing Practices

This is a guidance document only, it is not a comprehensive manual for compliance, and does not constitute legal advice. It is the responsibility of the commercial feed manufacturer/distributor to ensure they are in compliance with the applicable laws and requirements. Following the guidance in this document does not preclude regulatory or compliance action by the Wisconsin Department of Agriculture, Trade, and Consumer Protection when authorized by state law, nor does it release any commercial feed manufacturer or distributor from legal responsibility or liability of any kind.

Inspection Overview

Manufacturers of non-medicated feed in Wisconsin are subject to random, unannounced inspections to ensure compliance with Wisconsin commercial feed regulations, Wis. Stat. § 94.72 and Wis. Admin. Code chapter ATCP 42. Inspections offer a facility, and consumers, the opportunity to receive a regulatory perspective on the facility's ability to manufacture animal feed that is not adulterated and is properly labeled [reference Wis. Admin. Code § ATCP 42.46(1)].

Each inspection reviews:

1. The current commercial feed license, if applicable;
2. Cleanliness and maintenance of buildings and equipment;
3. Recordkeeping and record retention; and
4. Randomly selected feed labels.

Commercial Feed License

Each person or entity that distributes, manufactures, and/or labels a commercial feed or feed ingredient in Wisconsin is required to be licensed. The license requirement has three exceptions [reference Wis. Admin. Code § ATCP 42.02].

- If a facility distributes only packaged commercial feed as it was packaged and labeled by the entity whose name appears on the label, a commercial feed license is not required;
- If a facility distributes bulk commercial feed in the form it was received and already labeled by another licensee, except for net weight statement, a commercial feed license is not required;
- If a facility only distributes custom-mixes, and if ingredients in the mixtures are reported as tonnage distributed by another licensee¹, a commercial feed license is not required.

Typically, the exceptions apply to retailers such as convenience stores, or big box stores that merely distribute products made and labeled by another manufacturer. Links to the license applications are available online at

https://datcp.wi.gov/Pages/Programs_Services/CommercialFeedLicensingFormsandTonnageReporting.aspx.

Housekeeping

Regulations for cleanliness and maintenance of buildings and equipment are broad, to encompass the various manufacturing capabilities in the animal feed industry. Essentially, feed is to be manufactured, packaged, and held under conditions that will not contaminate it with filth or make it injurious to health [reference Wis. Admin. Code §§ ATCP 42.52(2)(t)]. Buildings and equipment shall facilitate the manufacture of a safe and quality animal food, and shall protect the incoming and inventoried ingredients, blends in progress, and outgoing finished feeds from pests (rodents,

¹ There is no requirement of a licensee to indicate to another business if they are or are not reporting tonnage and remitting inspection fees on commercial feed distributions. Licensees are to assume the tonnage is reported and inspection fees paid.

vermin, birds, or insects), biological contaminants (e.g., infectious diseases, potentially harmful microorganisms), and the elements.

Non-Feed Materials

Areas and equipment used to manufacture, handle, or store ingredients for the manufacture of, and the finished, animal feed may not be used to manufacture, handle, or store fertilizers, pesticides, or other industrial chemicals [reference Wis. Admin. Code §§ ATCP 42.52(2)(t)]. Such items shall be stored in a separate, segregated area to avoid adulteration of the animal feeds passing through the facility.

Records

Facilities are required to keep records of all custom-mixed feed for one year from the date the feed was manufactured [reference Wis. Admin. Code § ATCP 42.24(2)]. Adequate records enable a facility to identify affected feed batches should an issue arise with any ingredient. Information required to be within the retained records include:

- The name and address of the manufacturer;
- The name and address of the purchaser;
- The date on which the manufacturer sold or delivered the custom-mixed feed to the purchaser;
- The name of the custom-mixed feed;
- The net quantity of the custom-mixed feed;
- The name and net quantity of every commercial feed and every other ingredient used to manufacture the custom-mixed feed; and
- Applicable use directions and precautionary statements. If any commercial feed used in manufacturing a custom-mixed feed is labeled with use directions or precautionary statements, the manufacturer of the custom-mixed feed shall provide those use directions and precautionary statements to the purchaser of the custom-mixed feed.

Other Good Manufacturing Practice Resources

DATCP Resources:

- Non-Medicated Feed Manufacturing Requirements Video - <https://youtu.be/wci61QdSd7I>
- Field investigator contacts: https://datcp.wi.gov/Pages/Programs_Services/EnforcementInspection.aspx
- Feed Program contact: datcpfeed@wisconsin.gov or 608-224-4539

FDA Resources (<https://www.fda.gov/animal-veterinary/products/animal-food-feeds>):

- FDA Compliance Program 7371.004 -- Medicated Feeds
- CVM Guidance for Industry #239 - Human Food By-Products For Use As Animal Food
<https://www.fda.gov/regulatory-information/search-fda-guidance-documents/cvm-gfi-239-human-food-products-use-animal-food>
- Compliance Policy Guide 683.100 – Action Levels for Aflatoxins in Animal Feed
<https://www.fda.gov/regulatory-information/search-fda-guidance-documents/cpg-sec-683100-action-levels-aflatoxins-animal-feeds>
- Guidance for Industry #112 Fumonisin Levels in Human Foods and Animal Feeds; Final Guidance
<https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-industry-fumonisin-levels-human-foods-and-animal-feeds>
- Advisory Levels for Deoxynivalenol (DON) in Grains and Grain By-Products used for Animal Feed
<https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-industry-and-fda-advisory-levels-deoxynivalenol-don-finished-wheat-products-human>
- Food Additive Petitions for Feed Ingredients
<https://www.fda.gov/animal-veterinary/development-approval-process/food-additive-petitions-animal-food>
- Generally Recognized as Safe Notifications for Feed Ingredients
<https://www.fda.gov/animal-veterinary/animal-food-feeds/generally-recognized-safe-gras-notification-program>