



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 Treat Sales

To sell pet treats 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 IN Commercial Feed Law can be found at https://www.oisc.purdue.edu/oisc_rules_regs_laws.html#feedlaws. It is \$50 annually for the Indiana Commercial Feed License.

Some links that might be helpful for you to check out are

http://www.oisc.purdue.edu/petfood/pdf/i_want_to_make_and_sell_pet_treats.pdf

http://www.oisc.purdue.edu/petfood/pdf/who_needs_to_be_licensed.pdf

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

For small packages (10 lbs. and under), a Pet Food Listing Form 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.

If the products are not prepackaged, being sold in bulk or by piece or in packages over 10 lbs, it is \$0.40 per ton per calendar quarter with a minimum fee of \$5 per calendar quarter. A tonnage report is mailed to you and must be filled out and sent back to our office with a check 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.

If your company has products sold in both small and large packages and/or bulk, both small package fees and tonnage fees are required. Tonnage fees are only for products sold in bulk/by piece and/or in large (over 10 lbs) packages.

The individual packages or bulk/piece containers must have a product label. Below is the information that needs to be on the labels:

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

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

Intended Use - “Treat” or “snack” – **must be on front of label**

Not for Human Consumption (necessary for raw milk labels, but a good idea on any homemade pet treat)
Guaranteed Analysis

Ingredients **listed in descending order of predominance by weight (most to least)**

Feeding instructions (such as “feed as treat”)

Note: if not conspicuously labeled as “treat” or “snack” on the principal display panel (front of label) the label must state “This product is intended for intermittent or supplemental feeding only” on the information panel (back of label)

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

- if selling unpackaged by piece net weight may be left off the label

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

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Required 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 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.

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.

Product Name

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 Treats

- 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 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, 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).

If nutrients are specifically referenced on the label, they must be guaranteed in the guaranteed analysis.

References to quality, nature, form, or other attributes of an ingredient are not allowed in the ingredient statement. These claims are not allowed in the ingredient statement: “All Natural”, “100% Natural”, “Pure”, “Natural”, etc. Organic is allowed in the ingredient statement.

Animal foods/treats cannot indicate that the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease.

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

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The use of the term human grade and/or statements that imply the product is human grade, is only acceptable when it refers to the product as a whole—every ingredient and the resulting product must be stored, handled, processed, and transported in a manner consistent and compliant with the 21 CFR 117 for human foods. In order to use this term, documentation needs to be provided to substantiate that the product meets these requirements.

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.

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

License, product listing, and/or payment questions please contact Kaycie Laughner at klaughne@purdue.edu

The 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 and a check for payment. We are unable to accept credit card payments at this time.

The labels may be emailed to Katie Simpson at klsimpson@purdue.edu, but it must be indicated on the paperwork that “labels have been emailed to Katie”. If you have any questions, please don’t hesitate to contact us.

Katie Simpson
Pet Food Specialist
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