



September 25, 2013

NOTICE TO THE INDUSTRY

California Commercial Feed License Requirements

This notice is to provide clarification of the California Department of Food & Agriculture's (CDFA) requirements for a commercial feed license. The California Commercial Feed Inspection Program uses licensing information to ensure food and feed safety, and to assure the consumer-buyer of commercial feed that the product is properly identified and meets quality and quantity represented by the commercial feed manufacturer or the guarantor. California law and regulations require a commercial feed license to be held if any of the following apply pursuant to the California Food and Agricultural Code:

- Section 15051 (a) Each person shall obtain a license from the secretary for each location where commercial feed is manufactured, distributed, sold, or stored for later sale. Persons who do not have a permanent place of business, but who otherwise manufacture, sell, or store feed shall also obtain a license from the secretary.*
- (b) This section also shall apply to a person whenever the person's name and address appears on the label of commercial feed as the guarantor.*
- (c) The following persons are exempt from this section:*
- (1) A person that makes only retail sales of commercial feed which bear the tag or other approved indication that the commercial feed is from a licensed manufacturer or guarantor who has assumed the full tax responsibility for the tonnage tax due under this chapter.*
 - (2) A person who manufactures commercial feed exclusively for feeding his or her own animals.*

Out of State Licensing

The licensing requirements apply to every location; including the location of origin from which product is imported into California. This includes product which is shipped to a licensed location or has the label of a licensed firm.

Licensing Grain Elevators

The licensing requirements also apply to grain elevators that ship grain to feed licensees in California. Whole grain, unmixed is not subject to the inspection tonnage tax, but a commercial feed license is required. The licensing requirements do not apply to farmers' selling their own produced whole grain.



Repackaging Commercial Feed

If a firm repackages commercial feed, they must obtain a license and re-label the feed with their firm listed as the guarantor. This applies to feed stores who repackage feed, or sell feed by the pound for the convenience of the customer. If the original manufacturer's bag or lot is broken down, the person responsible for repackaging the product assumes responsibility for the safety and quality of the feed product. Additionally, proper labeling as identified in Section 14992 of the California Commercial Feed Laws and Regulations, is required, and must accompany each package or load of commercial feed.

Feed Label Guarantors

Licensing requirements apply to every person whenever the person's name and address appear on the label of a commercial feed as a guarantor. This includes nutritionists, veterinarians, and consultants whose name appears on the label, even if the feed was manufactured by a licensed feed mill.

Food Processing Waste

A Commercial Feed License must be obtained for the location of origin for products classified as food processing by-product or waste that are offered directly to the marketplace as feed, unless the product is shipped to a licensed feed facility to be further processed and labeled as animal feed. This includes by-product which is diverted directly to animal feed to avoid landfill tipping charges which would otherwise apply. All products must be approved for use in animal feed and properly labeled as identified in the California Commercial Feed Laws and Regulations.

Bakery By-Product

A Commercial Feed License must be obtained for the location of origin for pasta and bakery by-products, (including bread, cookies, cake, crackers, flours, and dough), that are offered directly to the marketplace as feed, unless the product is shipped to a licensed facility to be further processed and labeled as animal feed. The locations where the food is produced are not required to be licensed unless they send their products directly to livestock producers. All producers must be approved for use in animal feed and properly labeled as identified in the California Commercial Feed Laws and Regulations.

Food from Retail Stores

A Commercial Feed License must be obtained for retail stores where food waste is offered directly to the marketplace as animal feed. The retail store is not required to have a license if their waste is picked up by a holder of a Commercial Feed License. The Licensee picking up the food is responsible for the proper storage, quality, and safety, (that it is not adulterated with metal or glass and does not contain any non-food items such as flowers, nursery plants or trash). The Licensee is required to properly label the food which is offered as feed with a guaranteed analyses including moisture maximum percentage if the product is over 15 percent moisture and sodium maximum percentage of the product is over 0.5% sodium.

Restaurant Grease

Restaurants or other commercial food facilities that produce vegetable oil and inedible kitchen grease are not required to obtain a Commercial Feed License. However, transporters of inedible kitchen grease must be licensed by CDFA's Meat, Poultry and Egg Safety Branch. Firms that offer the vegetable oil and/or inedible kitchen grease for feed are required to have a Commercial Feed License.

Raw Meat Products

All raw meat products that will be converted to animal feed must be processed by a licensed renderer. Inspected meat products, such as plate waste, which have been cooked and offered for human food must be further heat processed before it can be offered as commercial feed. The location heat processing this food must have a Commercial Feed License. A CDFA Animal Health Branch Retail Processing License is also required for each location that feed meat garbage to swine.

A Commercial Feed License is valid for one year, beginning July 1st and expiring June 30th of the following year. The current annual licensing fee is \$400.00 per location. Applications are available through the online database link available at: <http://www.cdfa.ca.gov/IS/FFLDRS> or via our webpage at: http://www.cdfa.ca.gov/is/apply_register.html.

Your cooperation and efforts to comply with the California Commercial Feed Laws and Regulations is greatly appreciated. For additional questions, please contact the Feed, Fertilizer, and Livestock Drugs Regulatory Services Branch at the number listed below.