

FIRST REGULAR SESSION

HOUSE BILL NO. 422

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE OVERCAST.

1479H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 266.160, RSMo, and to enact in lieu thereof one new section relating to commercial feed.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 266.160, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 266.160, to read as follows:

266.160. When used in sections 266.152 to 266.220 the following terms mean:

(1) "Brand name", any word, name, symbol, or device, or any combination thereof, identifying the commercial feed of a distributor, manufacturer or guarantor and distinguishing it from that of others;

(2) "Commercial feed", all materials or combinations of materials which are distributed or intended for distribution for use as feed or for mixing in feed, unless such materials are specifically exempted by the director. Unmixed whole seeds and physically altered entire unmixed seeds, when such whole or physically altered seeds are not chemically changed or are not adulterated within the meaning of subsection 1 of section 266.180, as well as wild bird seed, are exempt from the definition of commercial feed. **Commercial feed shall include "industrial hemp" as defined in section 195.010.** The director by rule may exempt from this definition or from specific provisions of sections 266.152 to 266.220, commodities such as hay, straw, stover, silage, cobs, husks, hulls, and individual chemical compounds or substances when such commodities, compounds or substances are not intermixed with other materials and are not adulterated within the meaning of subsection 1 of section 266.180. Commercial feed shall not include feed that is manufactured, distributed and consumed by the manufacturer's own livestock;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 (3) "Consultant-formulated feed", commercial feed manufactured for a final
19 purchaser based upon a formula and/or specifications developed for the feed purchaser by
20 an independent consultant or feed manufacturer;
- 21 (4) "Customer-formula feed", commercial feed which consists of a mixture of
22 commercial feeds or feed ingredients or both, each batch of which is manufactured according
23 to the specific instructions of the final purchaser;
- 24 (5) "Department", the Missouri department of agriculture;
- 25 (6) "Director", the director of the Missouri department of agriculture;
- 26 (7) "Distribute", to offer for sale, sell, exchange, or barter, commercial feed; or to
27 supply, furnish, or otherwise provide commercial feed;
- 28 (8) "Distributor", any person who distributes;
- 29 (9) "Drug", any article intended for use in the diagnosis, cure, mitigation, treatment,
30 or prevention of disease in animals other than man, and articles other than feed intended to
31 affect the structure or any function of the animal body;
- 32 (10) "Feed ingredient", each of the constituent materials making up a commercial
33 feed;
- 34 (11) "Independent consultant", any person who provides animal nutritional
35 formulation to a feed purchaser for a fee rather than the sale of feed except that a
36 veterinarian actively treating an identified animal is not an independent consultant;
- 37 (12) "Label", a display of written, printed or graphic matter upon or affixed to the
38 container in which a commercial feed is distributed, or on the invoice or delivery slip with
39 which a commercial feed is distributed;
- 40 (13) "Labeling", all labels and other written, printed or graphic matter:
41 (a) Upon a commercial feed or any of its containers or wrapper; or
42 (b) Accompanying such commercial feed;
- 43 (14) "Manufacture", to grind, mix or blend, or further process a commercial feed for
44 distribution;
- 45 (15) "Metric ton", a metric ton of one thousand kilograms or two thousand two
46 hundred and four pounds avoirdupois;
- 47 (16) "Mineral feed", a commercial feed intended to supply primarily mineral
48 elements or inorganic nutrients;
- 49 (17) "Official sample", a sample of feed taken by the director or the director's agent in
50 accordance with the provisions of subsection 3, 5, 6 or 9 of section 266.200;
- 51 (18) "Percent" or "percentages", percentages by weights;
- 52 (19) "Person" includes individual, partnership, corporation, and association;
- 53 (20) "Pet", any domesticated animal normally maintained in or near the household of
54 the owner thereof;

55 (21) "Pet food", any commercial feed prepared and distributed for consumption by
56 dogs and cats;

57 (22) "Product name", the name of the commercial feed which identifies it as to kind,
58 class, or specific use;

59 (23) "Quantity statement", the net weight (mass), net volume (liquid or dry), or count;

60 (24) "Rule", an administrative rule as defined by chapter 536 or further elaboration of
61 a particular statute;

62 (25) "Specialty pet", any domesticated animal pet normally maintained in a cage or
63 tank, such as but not limited to gerbils, hamsters, birds, fish, and turtles;

64 (26) "Specialty pet food", any commercial feed prepared and distributed for
65 consumption by specialty pets;

66 (27) "Ton", a net weight of two thousand pounds avoirdupois.

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