

Dear Director Forfa, Dr. Schell, and Dr. Edwards,

We received your response on March 24, 2023. To recap (our two meetings with FDA and your response):

During our two presentations provided to FDA, we evidenced real life examples (using current pet food nutritional analysis) of nutritional deficiencies and excesses directly related to the amount of food a pet consumes. We evidenced the current nutritional profiles adopted by AAFCO and approved by FDA are based on caloric requirements of only "active" pets per the National Research Council, we evidenced no regulatory consideration (to nutrient deficiencies or excesses) is given to inactive, overweight and senior pets (the vast majority of US pets) or to athlete pets. We evidenced the recommended feeding amounts on US pet food labels vary dramatically proving little to no regulatory oversight to this pertinent label information. And we evidenced that the European pet food regulatory system (FEDIAF) corrects most of these concerns while the US system ignores them.

We asked the FDA to issue a public notice to alert the pet owning public and veterinarians to the certain nutrient deficiencies or certain nutrient excesses pets experience when consuming less food (inactive, overweight or senior pets) or when consuming more food (athlete pets).

The FDA denied that request.

While the FDA refuses to warn pet owners and veterinarians that feeding more or less pet food (or recommending a client feed more or less pet food) will cause nutrient deficiencies or excesses, the agency did take action to protect themselves. During our first presentation we exemplified an FDA webpage giving pet owners advice "to increase or cut back as needed" the amount of pet food provided. After we proved that advice has detrimental consequences to pets, FDA quietly removed the statement from their website protecting themselves while refusing to protect pet owners and veterinarians.

We asked FDA to strengthen labeling laws to require pet food feeding directions to directly link to nutritional requirements/AAFCO Nutrient Profiles (in order for the pet owner to know what amount of food provides a complete and balanced diet).

The FDA ignored that request.

We asked the FDA for pet food labels to include disclosure statements/warnings that the proper amount of food must be consumed for the product to be Complete and Balanced.

The FDA ignored that request.

Included in your response the FDA stated: "Regarding your concern about very calorically efficient pets requiring so little food to meet their individual calorie needs that they cannot get enough required nutrients in that amount of food, we too have considered this issue and have for several years had discussions with pet food manufacturers and the National Research Council."

Based on your admission, the FDA Center for Veterinary Medicine is well aware that a certain percentage of US pets "cannot get enough required nutrients" from their pet food.

Consulting AVMA dog and cat statistics in the US, and based on the Morris Animal Foundation statistic of overweight or obese pets - we estimate 43 million US dogs and 35 million US cats are at risk for nutrient deficiencies.

The FDA is refusing to develop nutritional protections for these 78 million US pets that are consuming less food.

The FDA CVM admitted in your response the agency has "for several years had discussions with pet food manufacturers" regarding this serious pet health issue.

We are extremely concerned that the agency chose to inform only 'select' industry members while neglecting to inform all pet food manufacturers about your pet food nutritional concerns. This admission evidences FDA CVM provides some in industry preferential treatment, a serious concern of a regulatory agency.

We would like clarification to the following:

The FDA website provides the following information regarding "Complete and Balanced" pet food:

"You can determine if a pet food meets your pet's nutritional needs by looking at the nutritional adequacy statement on the label.

When you see a reference to either an AAFCO nutrient profile or a feeding trial using AAFCO procedures on a pet food label, you're better assured that the "complete and balanced" claim is valid."

On this FDA webpage, the agency directly states pet owners are “better assured” their pet’s nutritional needs are met with a pet food that meets AAFCO Nutrient Profiles or with an AAFCO feeding trial pet food.

For clarification, we would like the FDA CVM to respond to the following questions:

Do manufacturer recommended feeding amounts of an AAFCO compliant Complete and Balanced pet food assure pet owners their pet’s nutritional needs are being met? Do manufacturer recommended feeding amounts assure pet owners their pet is consuming a complete and balanced diet?

Are pet food manufacturers required to provide recommended feeding amounts that directly correlate to the nutritional adequacy statement on the label?

If a senior pet or an overweight pet was instructed by their veterinarian to feed 25% less of an AAFCO compliant Complete and Balanced pet food per day (than the manufacturer recommended feeding amount), is that pet’s nutritional needs being met through their complete and balanced diet? Is there any risk of nutrient deficiencies when the pet consumes 25% less pet food?

If an athlete pet consumed 50% more of an AAFCO compliant Complete and Balanced pet food per day (than the manufacturer recommended feeding amount), is that pet’s nutritional needs being met through their complete and balanced diet? Is there any risk of nutrient excesses when the pet consumes 50% more pet food?

Has the FDA or AAFCO ever published pet owner or veterinarian educational material explaining that complete and balanced pet foods are directly related to a specific amount of calories consumed per day?

We also ask FDA to promptly provide the following information:

We are requesting full disclosure to which pet food manufacturers FDA “had discussions with”, dates when those discussions were held, who was present, and full disclosure to the information FDA shared with the selected industry members.

We are requesting full disclosure to who at National Research Council FDA “had discussions with”, dates when those discussions here held, all names of those present during discussions, and full disclosure to the information FDA and NRC discussed.

A FOIA request will also be filed for the information requested, however historically FDA has taken a minimum of 2 years (and often 4 to 5 years) to respond to our requests. We ask the agency to either provide the requested information voluntarily or promptly process our FOIA.

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