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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (*Division 104 added by Stats. 1995, Ch. 415, Sec. 6.*)

PART 6. WHOLESALE FOOD [111940 - 113360] (*Part 6 added by Stats. 1995, Ch. 415, Sec. 6.*)

CHAPTER 10. Processed Pet Foods [113025 - 113120] (*Chapter 10 added by Stats. 1995, Ch. 415, Sec. 6.*)

ARTICLE 5. Misbranding [113095 - 113110] (*Article 5 added by Stats. 1995, Ch. 415, Sec. 6.*)

113095. A pet food ingredient or processed pet food shall be deemed to be misbranded:

- (a) If its labeling is false or misleading in any particular.
- (b) If its container is so made, formed or filled as to be misleading.
- (c) If in package form, unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure or numerical count.

Under clause (2) of subdivision (c), reasonable variation shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the department.

- (d) If any word, statement or other information required by or under authority of this chapter to appear on the label or labeling is not prominently placed thereon with conspicuousness (as compared with other words, statements, designs or emblems, in the labeling) and in terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

113100. A pet food shall be deemed to be misbranded if it is not subject to Section 113105, unless its label bears (a) the common or usual name of the food, if any there be, and (b) in case it is fabricated from two or more ingredients, the common or usual name of each ingredient listed in descending order of predominance in the product. Spices, flavorings, and colorings, other than those sold as such, may be designated as spices, flavorings, and colorings, without naming each.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

113105. A processed pet food shall be deemed to be misbranded if it purports to be or is represented as a food for which a definition and standard of identity has been prescribed by regulations as provided by Section 113115 unless (a) it conforms to the definition and standard, and (b) its label bears the name of the processed pet food specified in the definition and standard, and, insofar as may be required by regulations, the common names of optional pet food ingredients present in processed pet food. Spices, flavorings, and colorings, other than those sold as such, may be designated as spices, flavorings, and colorings, without naming each.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

113110. A processed pet food shall be deemed to be misbranded:

- (a) If it purports to be or is represented for special dietary uses, unless its label bears information concerning its vitamin, mineral, and other dietary properties as the department determines to be, and by regulations prescribes as, necessary in order fully to inform purchasers as to its value for those uses.
- (b) If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact. To the extent that compliance with the requirements of this paragraph is impracticable, exemptions shall be established by regulations promulgated by the department.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

