



FOHO WV

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The Federation of Humane Organizations of WV, INC.

ATTN. Spay Neuter Fund Recipient:

Like your state, West Virginia is one of the five states that uses the pet food regulatory and registration fee required by the State Department of Agriculture to fund a statewide spay/neuter program. The five states are Maine, Maryland, West Virginia, New Mexico, and Delaware. This fee may be at risk due to Congressional Bill HR 597, the PURR Act of 2025. If this bill passes, under this new framework, state governments would be preempted and prohibited from assessing registration fees, mandating label reviews and premarket approval, and taking any other actions to regulate pet food sales.

Don't just take our word for it. Let's look at the concern on this bill. I have attached a very informative podcast on this topic in resources. Established in 1909, the Association of American Feed Control Officials (AAFCO) President Austin Therrell offers much concern about this bill. He states this bill would eliminate the checks and balances currently in place to ensure that consumers have transparency in the products they are purchasing. The feed programs in the U.S. support the Food and Drug Administration (FDA) by reviewing pet food labels to ensure that permissible marketing claims are substantiated by data and are not false or misleading to the consumer. AAFCO is concerned about the "ingredients sometimes present" language included in the PURR Act, which allows manufacturers to change or omit ingredients without disclosing this to consumers. They state that 70% of all animal food inspections are done by the state, which would be eliminated. AAFCO estimates that an FDA inspection could cost as much as \$20,000, while a state inspection could be performed for as little as \$2,000, which would be an apparent waste of taxpayer dollars.

The FDA is already overworked and underfunded, so why take power away from state regulators who have been doing this for over two decades? What could possibly go wrong? Presently, both the FDA and the state regulate and inspect pet food. Why eliminate the critical role of the state, removing a level of long-standing expertise, safety, and regulation for pet food?

Our concern is also that further interpretation of the preemption could result in states losing even more authority over their pet food regulatory status. Once the bill passes as expected, could executing the CFR, the Congressional Federal Rules, lead us to lose our funding at the state level for our spay neuter program? It is reliant as yours is on the pet food registration at the state level.

What can we do? We must notify our congressional representatives to protect our state spay neuter programs ensuring the funding will not be lost at the state level. How many ways can we say local rule? In the pet food arena, it has served us well; why change it?

Sincerely,
Theresa Bruner, President
FOHO WV

Resources:

Very informative podcast on the 2025 PURR Act with AAFCO.

<https://bsmpartners.net/barking-mad-podcast/barking-up-the-wrong-tree-how-the-purr-act-could-undermine-pet-food-transparency-and-safety>

And the PFI (Pet Food Institute) provides this view:

<https://www.petfoodinstitute.org/advocacy/labeling-and-regulations/modernizing-pet-food-regulation/>

<https://americanpetproducts.org/industry-trends-and-stats>

Go to our website, fohowv.org for more information on this subject. <https://fohowv.org/current-state-spay-neuter-program-funding-in-jeopardy/>