



Ohio Revised Code

Section 923.48 Adulterated commercial feed and agricultural commodities.

Effective: April 3, 2023

Legislation: Senate Bill 164

(A) A commercial feed, or an agricultural commodity such as whole seed, hay, straw, stover, silage, cobs, husks, or hulls, is adulterated if any of the following occur:

(1) It bears or contains any poisonous or deleterious substance that may render it injurious to animal or human health, except that when the substance is not an added substance, the feed or agricultural commodity is not adulterated if the quantity of the substance in the feed or commodity does not ordinarily render it injurious to animal or human health;

(2) It bears or contains any added poisonous, deleterious, or nonnutritive substance that is unsafe within the meaning of section 406 of the federal act, 21 U.S.C. 346, except such a substance that is either a food additive or a pesticide chemical in or on a raw agricultural commodity;

(3) It is, or it bears or contains any food additive that is unsafe within the meaning of section 409 of the federal act, 21 U.S.C. 348;

(4) It is a raw agricultural commodity and bears or contains a pesticide chemical that is unsafe within the meaning of section 408(a) of the federal act, 21 U.S.C. 346a, except when a pesticide chemical is used in or on a raw agricultural commodity in conformity with an exemption granted or a tolerance prescribed under section 408(a) of the federal act and the commodity is subjected to processing, which includes canning, cooking, freezing, dehydrating, or milling, the pesticide residue remaining is not unsafe if it is removed to the extent possible in good manufacturing practice as defined by the director in rules adopted under division (A)(9) of this section and the concentration of the residue in the processed feed is not greater than the tolerance prescribed for the raw agricultural commodity, unless the feeding of the processed feed will result, or is likely to result, in a pesticide residue in the edible product of the animal that is unsafe within the meaning of section 408(a) of the federal act;

(5) It bears or contains any color additive that is unsafe within the meaning of section 706 of the federal act, 21 U.S.C. 376;



(6) It is, or bears or contains any new animal drug that is unsafe within the meaning of section 512 of the federal act, 21 U.S.C. 360b;

(7) A valuable component is omitted or abstracted from it in whole or in part or a less valuable component is substituted for a valuable component;

(8) Its composition or quality falls below or differs from what it is purported or represented to possess by its labeling;

(9) It contains a drug and the methods used in or the facilities or controls used for its manufacture, processing, or packaging do not conform to current good manufacturing practices as determined by the director in rules adopted under this division to assure that the drug meets the requirements of this chapter for safety and has the identity and strength and meets the quality and purity characteristics that it purports or is represented to possess. The director shall adopt good manufacturing practices rules for drug-containing feeds. In doing so, the director shall adopt the regulations for type A medicated articles and for type B and type C medicated feeds established under the authority of the federal act.

(10) It contains viable weed seeds in amounts exceeding limits for weed seeds established by the director by rule.

(B) Pet food is adulterated if any of the following applies:

(1) Any provision of divisions (A)(1) to (10) of this section apply to it.

(2) It contains any animal remains from an animal that has been euthanized by the use of any drug injected intravenously or any drug injected through another nonvascular route.

(3) It contains any dog or cat remains, regardless of how the dog or cat died or was killed.