



Commercial Feed Registration Fact Sheet

Commercial Feed Definition:

- A commercial feed is defined as “all materials which are distributed for use as feed or for mixing in feed for animals other than man”. Any material consumed by an animal (other than man) that contributes energy and/or nutrients to the animal’s diet is considered a feed and is subject to the New Mexico Commercial Feed Law (NMCFL).

Feeds Requiring Registration:

- Any feed that fits the definition of commercial feed must be registered in the state of New Mexico. A commercial feed product must be registered and approved by the New Mexico Department of Agriculture (NMDA) **prior** to distribution in New Mexico.

Feeds Exempted from Registration:

- Customer-formula feeds are exempt from registration, however, are still required to comply with labeling requirements and are required to report tonnage on shipments into the state.

Product Registration Fees:

- There is a product registration fee of \$2.00 per product.

Inspection Fees:

- A \$25.00 inspection fee is established for commercial feed distributed in individual packages of ten (10) pounds or less.
 - Sample size containers are NOT exempt from this fee.
- A tonnage fee of \$0.15 per ton is to be reported and paid quarterly (to NMDA), for all feed distributed in packages greater than 10 pounds.
- For products distributed in packages of 10 pounds or less **AND** in packages over 10 pounds the annual inspection fees of \$25.00 for the small package sizes is due as well as the \$0.15 per ton inspection fee for products distributed in packages over 10 pounds.

Expiration Dates:

- Registrations expire annually on December 31.
- Registration Renewal Applications are mailed to registrants approximately six (6) weeks before the expiration date.
- New products can be added to the renewal application or registered at any time during the year using the regular product registration application.

Registration Application Components:

- A completed NMDA Commercial Feed Registration Application
- Companies currently registered with NMDA **MUST** include their company ID # on application forms.
- Registration Fee of \$2.00 for **each product** (includes all package sizes of the same label)
- Annual Inspection fees of \$25.00 for packages of 10 pounds or less.
 - For packages over 10 pounds, the tonnage fees are due within 30 days after the close of each calendar quarter, even if there are no tonnage fees to be paid
 - If the quarterly report is not filed or is filed after the 30 day period, there is a penalty of 20% or \$10.00, whichever is greater, and is due *in addition* to the tonnage fees.
- A complete legible (when not magnified) copy of the original feed product label(s) is preferred.

Label Specifications for Application:

- The label submitted with the registration application should be the label that will be affixed to the product when distributed. (Actual container labels are preferred).
 - UPC numbers or other unique identifiers for the product are helpful.
- For products marketed in multiple size containers, it IS necessary to submit labels for all different package sizes.
 - Only ONE registration fee must be paid if the product labels are the same except for size.
- Labels submitted with the application form for registration must be submitted on an 8 ½" x 11" piece of paper or be mounted on an 8 ½" x 11" sheet, whenever possible.

Label Changes/Revisions:

- Changes in the brand name, trade name, logo, label design or guarantee require the submission of a new label **AND** a completed Product Revision Notification Form.
 - The NMDA product ID # must be noted on the revised label submitted to NMDA.

Formulation Changes/Revisions:

- For information concerning formulation revisions please contact NMDA at 575-646-3107.
- Formulation revisions may require the submission of a new product registration packet, especially if the old product still remains in the marketplace.

Company Name Changes:

- Changes to any currently registered company names and addresses should be submitted in writing to this department, including the contact person who handles registrations.
- If name change results in changes to product labels, updated product labels must be submitted.
- If distributing products under the old **AND** new company names, an additional registration application and inspection fees will be required.

Action Taken on Unregistered Products:

- The manufacturer will be notified of the violation by NMDA Bureau of Feed, Seed and Fertilizer.
- Products are also subject to a stop-sale order and removal from the marketplace, if the company fails to register the product.
 - Continued violations will result in an immediate stop-sale order when further unregistered products are found.