

# **WEST VIRGINIA LEGISLATURE**

**2025 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 578**

BY SENATORS GRADY, RUCKER, AND HAMILTON

[Reported March 19, 2025, from the Committee on  
Finance]



1 A BILL to amend and reenact §19-14-5 of the Code of West Virginia, 1931, as amended, relating  
2 to removing the sunset provisions on requiring an additional registration fee for a permit  
3 to sell or market commercial pet food, set to expire June 1, 2027, and June 30, 2027.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 14. WEST VIRGINIA COMMERCIAL FEED LAW.**

**§19-14-5. Permits; registration.**

1 (a) Permits and registrations shall not be transferrable with respect to persons or locations.

2 (b) A person must apply for a permit or registration at least 30 days prior to the expiration  
3 of the current permit or registration; or at least 30 days prior to the date that the person intends to  
4 engage in the business of selling or marketing commercial feed products in this state. All  
5 applications shall be accompanied by the required fee. A penalty shall be added to the fee for all  
6 permits or registrations that are not applied for or renewed within the time limit.

7 (c) Persons manufacturing commercial feed or customer-formula feed in this state must  
8 obtain a commercial feed manufacturing permit from the commissioner, except for persons  
9 manufacturing feed for only ~~his/her~~ his or her animals on ~~his/her~~ his or her premises, or those  
10 producing pet food. Application forms shall be provided by the commissioner and include such  
11 information as established by rules. A separate permit shall be obtained for each manufacturing  
12 facility or location in this state. Each commercial feed manufacturing permit application shall be  
13 accompanied by the required application fee. Each permit issued shall expire on December 31,  
14 next following the date of issue.

15 (d) Each person distributing commercial feed in West Virginia must obtain a commercial  
16 feed distributor permit from the commissioner, except:

17 (1) Persons distributing pet food exclusively;

18 (2) Persons holding a valid commercial feed manufacturing permit issued by the  
19 commissioner; ~~and~~

20 (3) Persons holding a commercial feed guarantor permit issued by the commissioner; and

21           (4) Persons engaged in offering for sale, selling, exchanging, or bartering products or  
22           commodities produced exclusively on their own farms.

23           Application forms shall be provided by the commissioner and include such information as  
24           established by rules. Each commercial feed distributor permit application shall be accompanied  
25           by the required application fee. Each permit issued shall expire on December 31, next following  
26           the date of issue.

27           (e) Each person whose name appears on the label of a commercial feed or customer-  
28           formula feed as guarantor must obtain a commercial feed guarantor permit from the commissioner  
29           for each manufacturing facility or location that distributes feed in or into the state, except those  
30           facilities or locations for which a commercial feed manufacturing permit has already been issued  
31           by the commissioner. Application forms shall be provided by the commissioner and include such  
32           information as established by rules. Each commercial feed guarantor permit application shall be  
33           accompanied by the required application fee. Each permit issued shall expire on December 31,  
34           next following the date of issue.

35           (f) Pet food in packages over 10 pounds or bulk shall be registered annually. Each  
36           application for registration shall be accompanied by the required registration fee. Each registration  
37           shall expire on August 31, next following the date of issue: *Provided, That until June 30, 2027*, an  
38           additional registration fee of \$50 per product shall accompany each application for registration  
39           and the additional registration fee shall be deposited into the West Virginia Spay Neuter  
40           Assistance Fund for spay and neutering services performed within this state by licensed  
41           veterinarians.

42           (g) Pet food packaged in packages of 10 pounds and under shall be registered annually.  
43           Each application for registration shall be accompanied by the required registration fee. Each  
44           registration shall expire on December 31, next following the date of issue: *Provided, That until*  
45           ~~June 1, 2027~~, an additional registration fee of \$35 per product shall accompany each application  
46           for registration and the additional registration fee shall be deposited into the West Virginia Spay

47 Neuter Assistance Fund for spay and neutering services performed within this state by licensed  
48 veterinarians.

49 (h) Specialty pet food shall be registered annually. Each application for registration shall  
50 be accompanied by the required registration fee. Each registration shall expire on December 31,  
51 next following the date of issue.

52 (i) A person is not required to register any brand name or product name of commercial  
53 feed which is already registered by another person.

54 (j) Alteration of a pet food or specialty pet food that changes the label requires a new  
55 application for registration be made and approved before distribution.