



The Animal Health Supplement Act: Backgrounder

Why The Animal Health Supplement Act of 2026 Is Needed

The companion animal supplement industry stands at a critical juncture, operating in a regulatory gray area that serves neither pets and horses nor their owners well. The proposed **Animal Health Supplement Act (AHS Act) of 2026** presents both Congress and industry with an opportunity to establish a rational regulatory framework that protects animal welfare while supporting a thriving industry that contributes billions of dollars to the American economy.

Representing the majority of the industry, NASC has worked cooperatively with FDA and state regulators to establish a responsible approach to co-regulation. For the past 25 years, NASC's voluntary quality program has served the industry, regulators, veterinarians, retailers, consumers and their pets well. The animal supplement industry is experiencing exponential growth with a market exceeding \$3.6 billion annually and supporting hundreds of thousands of American jobs.

Unfortunately, manufacturers face significant uncertainty due to the existing patchwork of state laws and the unpredictability associated with FDA's enforcement discretion, as many of these products are considered Unapproved New Animal Drugs (UNADs) and are therefore technically unlawful to market without FDA approval. ***This uncertainty constrains growth and poses significant risk to the industry.***

A clear statutory framework implemented by the FDA would provide the regulatory certainty needed to encourage greater industry investment in research and development, manufacturing capacity, and job creation.

- **Global Competitiveness:** Other countries are establishing their own regulatory frameworks for animal supplements. The United States must maintain its leadership position in the global animal supplement market by setting the gold standard for safety, quality, and oversight.
- **Need for Regulatory Consistency:** State regulatory requirements continue to evolve and often vary considerably across jurisdictions, creating significant regulatory and compliance burdens for manufacturers, including the need to register each individual product in every state where it is marketed and sold.
- **Confidence for Veterinarians and Consumers:** Clear FDA standards would enable veterinarians and other stakeholders to recommend animal supplements with confidence, knowing the products are manufactured in compliance with established quality standards and are marketed within a clearly defined legal framework.
- **Consumer Assurance:** Most importantly, millions of American pet and horse owners who rely on supplements for their animals' health and well-being would benefit from the confidence that comes with appropriate federal oversight.

Manufacturers, marketers, retailers, veterinarians, and pet owners deserve peace of mind that comes with a predictable, stable, and prudent regulatory process governing the safety of companion animal health and nutritional supplements. **With a growing number of states**

adopting different regulatory approaches, combined with the significant increase in manufacturers and products, now is the time for Congress to enact legislation establishing a clear federal regulatory framework for animal health supplements, implemented by the FDA. Such legislation should build upon the existing voluntary, co-regulatory system that NASC and FDA, through the Center for Veterinary Medicine (CVM), have employed for the past two decades.

The AHS Act seeks to leverage NASC's existing voluntary compliance infrastructure while recognizing and formalizing the important role the CVM plays in ensuring the safety of animal health and nutritional supplements. The AHS Act would provide a much-needed federal regulatory framework that would provide manufacturers with clear standards and requirements while eliminating the extraordinary burden of navigating up to 50 different state regulatory approaches.

The AHS Act would establish a responsible and practical path forward that would include formal Good Manufacturing Practice (GMP) regulations modeled after NASC's existing requirements. This would help ensure consistent quality and compliance across all products while maintaining the flexibility that has allowed innovation in the industry.

Specifically, *the AHS Act*:

- Focuses solely on health supplements ***provided to companion animals*** (e.g., dogs and cats), horses and specialty pets. Unlike livestock animals that enter the food chain, companion animals and horses have different risk profiles and usage patterns that justify a tailored regulatory approach. ***Food-producing animals are excluded.***
- Requires clear product labeling, proper administration instructions, and safety warnings, providing consumers with the information they need to make informed decisions.
- Includes federal preemption, ensuring consistent standards nationwide while preventing conflicting state requirements that can confuse consumers and unfairly burden product suppliers.
- Grandfathers all animal health ingredients currently on the market, preventing the disruption that would occur if existing products were suddenly required to undergo expensive approval processes. This protects manufacturers' investments while ensuring consumers' continued access to products they rely on for their pets' health. In addition, many supplement ingredients have long histories of safe use in animal feed and are already recognized by the FDA as safe for use in animal food.
- Establishes – for new ingredients – a reasonable safety notification process, similar to that used for human dietary supplements. This approach encourages innovation while ensuring appropriate safety review, striking the right balance between market access and consumer protection.

- Builds on the exceptional safety record established by the industry and formalizes a federal regulatory framework utilizing a proven co-regulatory approach jointly developed by NASC and the FDA and currently followed by the majority of the industry.
- Allows structure/function claims and general wellness claims while maintaining appropriate restrictions on disease claims. This enables companies to communicate the benefits of their products honestly and clearly while preventing inappropriate medical claims.¹
- Establishes national uniformity with respect to animal health supplement labeling, statements or claims, ingredient safety determinations, current Good Manufacturing Practices, adverse event reporting, and recordkeeping.
- Authorizes funding from fiscal years 2027 through 2031 to support FDA's implementation of the Act.

The AHS Act represents a common-sense solution that builds on the industry's long-proven track record while establishing the federal regulatory framework needed for the future.

The evidence is clear: This legislation would enhance animal health and well-being while supporting an industry that has earned consumer trust through its unwavering commitment to safety and quality. Congress should act swiftly to provide the regulatory certainty that dogs, cats, horses, specialty pets, pet owners, veterinarians, manufacturers, distributors, and retailers deserve.

We ask you to support *The Animal Health Supplement Act*.

About the National Animal Supplement Council (NASC)

Founded in 2001, the National Animal Supplement Council (NASC) is a nonprofit trade association with a clear mission: **To promote the health and well-being of companion animals and horses given animal health and nutritional supplements by their owners and to protect and enhance the animal supplement industry.** NASC carries out this mission for the benefit of millions of dogs, cats, and horses that rely on animal health and nutritional supplements to live their healthiest, happiest lives.

The NASC represents more than 300 members who collectively market and track more than 7,000 products with over 1,400 ingredients, demonstrating the industry's scale and commitment to co-regulation, which has been developed and implemented by working cooperatively with the FDA's CVM and state regulatory agencies.

¹ Structure/function claims may describe the role that a health or nutritional supplement is intended to have on the normal structure or function or how the health or nutritional supplement acts in helping to maintain a particular structure or function. For example, glucosamine for dogs can be described as "hip and joint support," "mobility support," or "helps maintain normal joint function in active dogs."