

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (Department)
FEED INSPECTION ADVISORY BOARD (FIAB) MEETING**

**Stanislaus County Farm Bureau
1201 L Street
Modesto, CA 95353
(209) 522-7278**

**April 11, 2017
9:00 AM**

MINUTES

MEMBERS

John Walth, Chair
John Kauffmann, Vice Chair
Doug Stabelfeld
John Silva
Marit Arana
Michael Koewler
Paul Parreira
Tim Riordan
Thomas Prokop

CDFA STAFF

Amadou Ba
Angelia Johnson
Brittnie Sabalbro
Chris Hansen
Elaine Wong
Jenna Areias
Josh Davila
Killeen Sanders
Mike Davidson
Natalie Krout-Greenberg
Nirmal Saini
Poonam Chandra
Samantha Moran
Stacy Aylesworth
Trevor Morgan

INTERESTED PARTIES

Barbara Alley
Kelly Covello
Rich Hoch
Shay Rambur

INTRODUCTIONS AND ANNOUNCEMENTS

Mr. John Walth, Chair, called the meeting to order at 9:00 a.m. He informed the interested parties they are not required to sign in or identify themselves, per the Bagley-Keene Open Meeting Act.

APPROVE OCTOBER 25, 2016 MEETING MINUTES

Chair Walth requested the board review the minutes of the October 25, 2016 FIAB meeting.

MOTION: Mr. John Kauffmann moved to approve the meeting minutes; Mr. Doug Stabelfeld seconded. The motion passed unanimously with a vote by all board members present of 9 - 0.

DEPARTMENT / DIVISION / BRANCH UPDATE

Ms. Natalie Krout-Greenberg reported the Department continues to implement the Produce Safety Rule under the Food Safety Modernization Act (FSMA). The multi-year plan to implement an enhanced produce safety system emphasizes education and outreach; inspection program and infrastructure development; collaboration with federal and local entities; and annual work plan development training. In March, Ms. Krout-Greenberg and Mr. Steve Patton, Branch Chief for the Inspection and Compliance (I&C) Branch attended a consortium meeting with all 50 states in Florida, to ensure the Produce Safety Rule has an integrated food safety approach and proper alignment with the rest of the nation. A bid for the outreach and education component of the Produce Safety Rule will be implemented this fall.

The passing of Proposition 64 has impacted the Medical Cannabis Program and the Department is working diligently toward implementing regulations to become effective in 2018. The Department is developing the license and enforcement program for oversight on the medical and adult use of cannabis. Regulations for the medical use of cannabis will be published on April 21, 2017.

Assembly Bill (AB) 1826 was signed into law by the Governor impacting the State Organic Program (SOP) within the Division of Inspection Services. This bill was amended to revise and recast the California Organic Products Act of 2003 as the California Organic Food and Farming Act. SOP has looked at data collection, marketing trends, increase in enforcement efforts, and research components of outreach and education. Additionally, there are several working sessions that had occurred for a technical advisory subcommittee to examine data collected by certifiers.

The Department's Farmers Market Program is in the process of developing regulations in response to legislation that passed two years ago. The regulations will clarify delineation between agricultural products sold in California's farmers markets.

Dr. Amadou Ba provided Branch updates and reported four new staff members were recently hired for both the Fertilizing Materials Inspection Program (FMIP) and Feed and Livestock Drugs Inspection Program (FLDIP). Ms. Erika Lewis, Associate Governmental Program Analyst for the Antimicrobial Use and Stewardship Program (AUS); Mr. Leo Campos, Environmental Scientist (ES) for the Organic Input Material Program (OIM); Mr. Trevor Morgan, ES for AUS; and Ms. Roberta Franco, ES for FMIP. Dr. Ba stated Office Assistant, Ms. Minal Patel promoted to an ES, in replacement of Ms. Bryce Praditkul who accepted a promotional opportunity with I&C. Former Feed, Fertilizer, and Livestock Drugs Inspectors, Mr. Ted Bert and Ms. Samantha Moran were also promoted to ES; Ms. Ellana Reyes promoted to an Office Assistant; and Ms. Angelia Johnson promoted to an Agriculture Program Supervisor I (APS), as former APS I Ms. Maria Tenorio accepted a promotional opportunity with I&C. The Branch will continue to work closely with Human Resources to fill all vacant positions within the FMIP, FLDIP, and AUS program.

Dr. Ba stated there is no legislation impacting the Feed program. AB 1713 which will financially impact the FMIP, requires that every licensee is inspected at the farm level. The FMIP must take samples at the manufacturer and farm level. This bill will require the program to collect 1,000 new samples. FMIP is analyzing the bill to determine the impact to the program, identify necessary resources, and evaluate a possible change in mill assessment rates.

Dr. Ba reported water quality issues in the Central Coast Salinas Valley. The State Water Board enforcement office sent letters to growers regarding water quality issues due to nitrate. To address the issue, a consultation occurred between growers, the Central Coast Water Board, State Water Board, and Governor's Office. A press release was issued and a structured program was implemented in the Central Coast requiring growers provide replacement water to impacted communities. Dr. Ba stated agricultural communities, water purveyors, and environmental justice groups are developing a long term solution on water quality that does not litigate against growers or programs.

Dr. Ba stated Mr. Tad Bell informed the FLDIP on a small experiment by the Division of Plant Health and Pest Prevention Services (PHPPS) on palmer amaranth weed seed which is a problem in the midwest. The PHPPS inspected one feed facility that changed their protocol on seeds and weed seeds devitalization process. The FLDIP does not expect any impact on feed, however, it is part of the Plant Health's requirement and internal processes to exclude any pests including seed. The issue is palmer amaranth, a ground-up resistant in the midwest that should not come in California.

Ms. Krout-Greenberg introduced Mr. Nathan Martin and Ms. Laura Hernandez from the United States Department of Agriculture. Both are shadowing as part of their involvement in a leadership program.

BOARD VACANCIES

Dr. Ba stated the Feed program received five applications for the upcoming board terms expiring on April 30, 2017. It is the board's authority to nominate members to the Secretary. Vice Chair, Mr. John Kauffmann stated based upon review of the applicants and recommendations, he concluded that all applicants are qualified to serve as board members. He stated the board recommends the reappointment of three current board members, Mr. Michael Koewler, Mr. Tim Riordan, and Mr. John Silva. Due to personal and professional reasons, Vice Chair Kauffmann announced his resignation from the board and stated the board recommends to the Secretary, Mr. Bob Berczynski or Ms. Shay Rambur for the vacant position.

MOTION: Dr. Marit Arana moved to approve recommendations of board vacancies and Vice Chair; Mr. John Silva seconded. The motion passed unanimously with a vote by all board members present of 9 - 0.

FUND CONDITION / TONNAGE REPORTING

Dr. Ba reported as of July 31, 2016, total combined funds for the Feed and SAFE programs were \$2,504,172; revenue was \$2,460,777; expenditures were \$1,919,737; and encumbrances were \$85,953; the total ending adjusted balance was \$2,959,259.

As of February 28, 2017, the Livestock Drugs (LD) program's total fund balance was \$242,430 and AUS balance was \$550,000. Revenue received for LD was \$46,854 and expenditures were \$71,538 for LD and \$139,855 for AUS. The total adjusted balance was \$209,749 for LD and \$409,246 for AUS. Ms. Areias stated AUS expenditures presented in the financial summary do not cover the new AUS employees, stating that the program did not have any AUS employees at that time. She also stated the recoveries are from program staff and time exception reporting from veterinary feed directive (VFD) outreach.

Dr. Ba reported the feed tonnage for the first quarter of fiscal year (FY) 16/17 was 4,944,793 tons; 2nd quarter was 5,048,786, and 3rd quarter was 4,929,342. The tonnage is reported at approximately 15 million tons, which is approximately \$1.8 million in tonnage revenue.

Dr. Ba also discussed the Feed program's projected cash flow FY 17/18 for various tonnage tax rates and feed tons.

Mr. Thomas Prokop asked about the total number licenses. Ms. Areias responded stating there is a steady number of approximately 1,800 licensees; the program has not seen an increase or decline.

Mr. Davidson stated the program is requesting licensees are in compliance effective July 1. Mr. John Silva asked how it will impact the budget as the program enforces the new licensees and tonnage. Mr. Davidson stated fluctuations in tonnage will set the mark, not the licenses.

FEED, LIVESTOCK DRUGS, SAFE, AUS PROGRAM UPDATE

Ms. Jenna Areias introduced Mr. Trevor Morgan, Environmental Scientist 50/50 for the LD and AUS program. Mr. Morgan worked for the State Veterinarian in Arizona with a Bachelors of Science degree from Cal Poly and a Masters degree in Animal Science. Ms. Areias announced the AUS program hired Ms. Erika Lewis as the Associate Governmental Program Analyst. Ms. Lewis has worked with the Department for 11 years in the Fairs and Exposition Branch, Fertilizer Research and Education Program, and Office of Grants Administration, and now with the Feed, Fertilizer, and Livestock Drugs Branch. Ms. Samantha Moran, who managed the Animal Feed Regulatory Program Standards (AFRPS) grant, will now oversee the Safe Animal Feed and Education Program (SAFE) and work primarily in Sacramento. Ms. Moran is also a Food Safety Preventive Controls Alliance (FSPCA) Qualified Individual (QI), Lead Instructor for California.

Ms. Areais reported there are two ES vacancies in the FLDIP for Northern California and Northern San Joaquin Valley. Mr. Cyril Huisman, Special Investigator Retired Annuitant is assisting with contracts and VFD outreach through the AUS program. The Senior Environmental Scientist (SES) (Specialist) has been difficult to fill; the program is still seeking to find a candidate that is a good fit and lead for the AUS program.

The AUS program's general fund tonnage/revenue for FY 17/18 will be used for positions requested in the budget change proposal for three ES, one SES (Specialist), and one program support staff. All positions will be based on need and funding of the program; the Feed program will work with Human Resources for these positions.

FEED AND LIVESTOCK DRUGS PROGRAM AND FIELD ACTIVITIES

Ms. Areias stated all Feed program staff attended the FSMA FSPCA QI training held in Sacramento; Jenny Murphy was the program's Lead Instructor. The training highlighted hazard analysis as a vital component to food safety plan and FSMA.

A field staff meeting was held in January. The meeting consisted of an overview of inspections, how to conduct inspections, what to focus on with FSMA, VFD rule, AUS requirements and outreach, and field activities. The program prioritized and outlined FSMA Good Manufacturing Practices (GMP) readiness inspections. Ms. Moran will lead the outreach activities; the program developed VFD outreach materials for all manufacturers, distributors, and retailers who submitted a letter of intent.

Mr. Mike Davidson stated cottonseed products must be tested before entering California. This analysis can be part of the firm's food safety plan and the Department's Certificate of Movement. The program will also run additional mycotoxin testing on other corn products, such as corn gluten to see if these products would be considered a possible hazard. The Feed program is going to collect data to make it available for firms to use in their FSMA food safety plan.

Ms. Areias stated the program prioritized the top 15 restricted LD licensees whom are also licensed with the Board of Pharmacy. Mr. Morgan will go into the field, gather information, and provide outreach on the 2018 AUS requirements to these restricted LD licensees.

Ms. Areias stated the Department was notified by the California Grain and Feed Association (CGFA) regarding a significant rail issue that prevented products arriving to feed mills. The Department is coordinating with the California Governor's Office of Emergency Services (Cal OES) and CGFA to gather information on critical areas of where the rails and firms are located. CGFA will also obtain information from members regarding storage capacity and availability for future emergencies.

Ms. Areias announced the ongoing case with Western Milling is now closed as a settlement was reached. An overview of the settlement will be published in a press release.

Two cases are pending with the Merced County District Attorney's (DA) Office regarding repeat drug residues in edible tissue. Mr. Davidson stated a preliminary hearing for one case was held in March. The DA was compelled to move forward due to the direct food safety issues related to meat or milk. In late February, the Department took enforcement action on a firm that had feed adulterated eggs effected from Nicarbazin which turned brown eggs into white-speckled eggs; no recall was necessary.

The Technical Advisory Subcommittee (TASC) will meet June 2017. Ms. Cathryn McCandless, Environmental Scientist for the SAFE program is now at 5/8 fractional time base as she is currently getting her Ph.D. at the University of California (UC), Davis. Ms. McCandless is still lead on all TASC research, answering technical questions regarding new and undefined feed ingredients. Ms. McCandless is working with TASC to develop hazard analyses for all approved feed ingredients; she is looking into having the ability to have these resources available.

The Department submitted a legal referral regarding a Feed Additive definition for undefined feed ingredients which may require a legislative change. A provisional approved status has been discussed, however, the SAFE program would like to move forward with reviewing ingredients. Additionally, the program must focus on hazard analyses for the feed industry with FSMA.

Discussion ensued regarding feed additive and ingredients.

Ms. Areias provided a federal contract update. A work planning meeting with the Food and Drug Administration (FDA) was held in March 2017. The meeting consisted of the current contract status and future contracts. FDA realigned their organization, which will not affect the Department's contract; however, it will affect how districts are working together. Ms. Jessica Darnielle and Ms. Maxeem Lam, FDA liaisons, will continue to work with the Department on contracts.

The Bovine Spongiform Encephalopathy (BSE) will now be identified under just one contract, the "Feed" contract which will have various BSE, GMP, and FSMA assignments. There is no anticipated change to this contract in FY 17/18. The Tissue Residue (TR) contract was at 100-125 assignments; however, the Feed program is anticipating the contract to be reduced by half.

As of March 1, 2017, the FLDIP was assigned a total of 43 TR and 38 BSE inspections; TR and BSE inspections are going well. The program is 100% in compliance for turn-around dates of completing inspections and endorsements. Ms. Krout-Greenberg added that it will be two years until the Department receives FSMA funding; the Department will continue with the AFRPS grant.

SAFE AND AFRPS

Ms. Samantha Moran, Environmental Scientist, reported as of December 2016, the SAFE program completed the initial FSMA outreach to medicated feed mills. The program has started the VFD outreach by visiting firms that distribute and/or manufacture VFD feed and providing information packets.

The FSPCA Preventive Controls Qualified Individual (PCQI) course was held March 20-22, 2017 in Sacramento. The SAFE program attended the FSPCA QI Lead Instructor Training which allows the program to begin hosting PCQI training for industry.

Beginning April 2017, CGMP Readiness inspections will begin at medicated feed mills that are considered a "small firm." This will give the program an idea of how the industry is doing in terms of compliance with FSMA regulations. In May, the program plans to host a VFD workshop for firms who plan to distribute VFD feed and begin PCQI trainings throughout the state.

Ms. Moran presented other SAFE activities. The program continues to track samples maintained on a spreadsheet. Once all of the samples for 2016 are received, a review of the year's sample data will be included in the Department's annual report and will be published on the SAFE website. Additionally, the SAFE website is being updated to be more user friendly where material is easily accessible to industry. Ms. Moran presented the 2016 breakdown of feed and food safety samples. Most of the samples were feed or food safety related; 12% outreach and educational; 40% label compliance; and 40% violation rate. She illustrated a pie chart of commodity sampling to get an idea of each type of sample.

Ms. Moran provided an AFRPS update. An annual meeting with the FDA Office of Partnerships occurred in November. The purpose of this meeting was to review the progress made with the AFRPS grant. FDA released a new version of the AFRPS Standards published in February. Each standard was reviewed for accuracy to ensure the standards that have been met are still in the same status. Furthermore, the Mid-year Report was submitted March 31, 2017 to the Department's requirement with AFRPS.

Ms. Moran is also attending and participating in the Animal Food Inspector Curriculum developed by FDA. Her involvement included outlining the course content of the curriculum which is under its 4th review and will go through the Association of American Food Control Officials (AAFCO) Training and Education Committee for review. The curriculum should be available by August 2017.

MYCOTOXIN SURVEY

Ms. Krout-Greenberg stated in 2005 a pilot program was developed to look at corn coming into the state. This Corn Mycotoxin Study was in coordination with UC Davis and funded through SAFE. The mycotoxin analysis looked at corn and corn products. The lab methodologies developed by the Center for Analytical Chemistry (CAC) lab focusing on 12 different analytes. She further highlighted sample data from the past 11 years

which show positive samples of aflatoxin, deoxynivalenol (DON), and fumonisin. Overall, aflatoxin has a regulatory limit of 20 parts per billion, whereas DON and fumonisin do not. Both have a FDA advisory level because each are still in guidance and are not enforceable. Ms. Krout-Greenberg would like to have the mycotoxin survey published for industry to have as an available resource.

CAC LAB REPORT UPDATE

Ms. Elaine Wong reported from January to December 2016, the lab received 1,069 samples; the total number of assays requested was 4,469. From January 2017 to April 7, 2017, the lab received 150 samples with an average of 400 assays; the lab is on track with sample turnaround time. The lab hired a staff member in December who is now fully trained on the new Inductively Coupled Plasma (ICP) machine. The lab purchased the Near Infrared (NIR) equipment in October; the equipment recently arrived and will be installed.

Ms. Wong reported CAC lab staff has been working with Ms. Moran and Mr. Gary Castro on the AFRPS grant; the grant is on track. An audit in the lab was completed by AFRPS staff; the audit went well.

Mr. Paul Parreira asked what plans are made for training and implementing the NIR equipment. Ms. Wong responded stating there are individuals identified for training, however, the lab is waiting for the NIR equipment to be installed, to determine what is needed. Ms. Kelly Covello stated the Almond Alliance of California will help put together necessary resources to assist with the NIR equipment such as coordinating with other labs on data collection. Mr. Tim Riordan suggested the private labs coordinate with the two labs working with the almond hullers and processor group on what equipment is used on prep.

AGENDA ITEMS FOR FUTURE MEETINGS

Chair Walth asked the board for agenda items for the next meeting, including budget and fund condition, and the election of a Vice Chair for the board.

NEXT MEETING

Chair Walth stated the next meeting will be in June 2017. The board members will be polled to select a date.

MOTION: Mr. Thomas Prokop moved to adjourn the meeting; Mr. Michael Koewler seconded. The motion passed unanimously with a vote by all board members present of 9 - 0.

The meeting was adjourned at 11:10 a.m. by Chair Walth.

Respectfully Submitted By

ORIGINAL SIGNED BY JENNA AREIAS

Jenna Areias, Feed Program Supervisor
Feed, Fertilizer, and Livestock Drugs Regulatory Services

04/11/2017
Date