

# California Department of Food and Agriculture Commercial Feed License Application Guide

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# Introduction to the Commercial Feed License Application Guide

The California Department of Food and Agriculture (CDFA) Commercial Feed Regulatory Program (CFRP) has made changes to the commercial feed license application. This document has been developed for guidance to help users become familiar with the updates and explain how to submit a commercial feed license application accurately.

Questions that are not answered within this document can be brought to the attention of the Commercial Feed Regulatory Program at <a href="mailto:feed\_lvstk@cdfa.ca.gov">feed\_lvstk@cdfa.ca.gov</a> or by calling (916) 900-5022 and asking for help with the commercial feed license application.

The following changes are currently in effect:

- Updated Feed Operation Classification categories.
- Reduced License Fee for Firms Solely Diverting Eligible Human Food By-Products. Title 3 of the California Code of Regulations (3 CCR) Section 2751(c) reduces the annual commercial feed license fee to \$100 for firms that are solely engaged in the diversion of eligible human food byproducts to livestock feed. To be eligible for the reduced license fee, a firm:
  - Must deal solely in the diversion of eligible human food by-products to livestock feed. Firms selling or manufacturing other types of commercial feed or ingredients in addition to human food by-products are not eligible for the reduced license fee.
  - Must not further manufacture/process the diverted human food by-products beyond what is stated in the ingredient definition. For example, firms that remove undesirable constituents (or any other process stated in the ingredient definition) may be eligible. However, firms that grind, mix, or otherwise process in a manner that is not stated in the ingredient definition are not eligible. Reference the specific definitions for eligible human food by-products under 3 CCR Section 2804 for more details.
  - All commercial feed licenses expire July 1 of each year; the fee is non-refundable and shall not be reduced to cover a fraction of a year. Eligible firms with a current license are encouraged to wait until the renewal period to apply for the reduced license fee. Licensees claiming the reduced license fee will be subject to verification audits.
  - Definitions and labeling guidance for eligible human food by-products can be found here: <a href="https://www.cdfa.ca.gov/is/ffldrs/pdfs/Human">https://www.cdfa.ca.gov/is/ffldrs/pdfs/Human</a> Food Waste Byproducts Definitions.pdf.

## Commercial Feed License

California Food and Agriculture Code (FAC) Section 15051 states that the following persons shall obtain a license:

- Each location where commercial feed is manufactured, distributed, sold, or stored for later sale.
- Persons who do not have a permanent place of business, but who otherwise manufacture, sell, or store feed.
- Whenever the person's name and address appear on the label of commercial feed as guarantor.

The following persons are exempt from FAC Section 15051:

- A person that makes only retail sales of commercial feed which bear the tag of other approved indication that the commercial feed is from a licensed manufacturer or guarantor who has assumed full tax responsibility for the tonnage tax due.
- A person who manufactures commercial feed exclusively for feeding his or her own animals.

For help determining whether you must obtain a Commercial Feed License, view our help guide:

#### https://www.cdfa.ca.gov/is/ffldrs/docs/Do I need a Commercial Feed License.pdf

All licenses shall be renewed on July 1 of each year and shall be valid until June 30 of the next year. Each application for a new commercial feed license and annual renewal shall be accompanied by a fee in an amount specified by the department, pursuant to FAC Section 15053, for each location operated.

Beginning July 1, 2015, the annual commercial feed license fee shall be five hundred dollars (\$500.00) for each location. The annual commercial feed license fee for firms solely engaged in the diversion of human food by-products as defined under Section 2804 without further manufacturing/processing beyond what is stated in the ingredient definition shall be one hundred dollars (\$100.00) for each location. The commercial feed license fee is non-refundable and shall not be reduced to cover a fraction of a year. If a license is not renewed within one calendar month following its expiration, a penalty of one hundred dollars (\$100) shall be added to the fee.

# How to Obtain a Commercial Feed License

Commercial Feed License Applications can be submitted through the ExtraView online database. The database allows you to submit all reports and pay fees online. The first step is to create a user account to access the database. If you do not have access to internet, a paper application can be provided by contacting the CFRP.

#### Creating a New ExtraView User Account

The first step to apply for a commercial feed license is creating an ExtraView user account. If your company already has a license, and has not yet used the ExtraView database, these same instructions can be used.

- 1. Go to CDFA's Commercial Feed Regulatory Program homepage: https://www.cdfa.ca.gov/is/ffldrs/CommercialFeedReg.html
- 2. Click on the button for the ExtraView Database:

https://inspect.cdfa.ca.gov



3. Select "Enroll New User".



4. Input all User Information and Firm Information, including the Federal Identification Number.

- It is recommended to use a general company email address under "User Information" so that
  you will receive correspondence from CFRP and CDFA's Feed, Fertilizer and Livestock Drugs
  Regulatory Services (FFLDRS) Branch regardless of staff turnover in your company.
- 5. At the bottom of the page, enter information for the Registered Agent, Responsible Party, or Legal Representative for the firm, typically the Owner, President, or CEO.

-REGISTERE	ED AGENT, RESPONSIBLE PA	ARTY, OR LEGAL REPRESENTATIVE		
The information below should represent the responsible person for the firm (typically Owner, President, CEO, etc.) If your firm is listed with a Secretary of State, the identified person should match the Agent for Service of Process.				
First Name		Last Name		
Job Title				
Email Address				
Primary Phone		Secondary Phone		
		I certify that this information is true and accurate.		

- 6. Once approved, you will receive a User ID and Password via email to access your account in ExtraView.
  - For new licenses, you will automatically become the "Originator" of the record and will receive all correspondence for your firm via email, including license renewals and tonnage reporting.
  - If you are creating a new user account for an <u>existing license</u>, then you must contact <u>ffldrsdb@cdfa.ca.gov</u> and ask to change the Originator.
  - You can create numerous users for the account; however, only the Originator will receive correspondence from CFRP and FFLDRS.

#### How to Fill Out the Commercial Feed License Application

Once you login to your ExtraView account, you can apply for a new commercial feed license by scrolling down to the **LICENSES** section and clicking "Add Commercial Feed".



Enter all the information for "Licensed Location"; all fields highlighted in red are required.

#### **Points of Contact**

You will see a field for "Licensed Location Point of Contact". This contact information should be for an individual that is responsible for renewing the licenses and reporting tonnage at this specific licensed location, who should receive correspondence from CFRP/FFLDRS regarding licensing renewals, tonnage tax reporting, and payments.

There is also a field for "Point of Contact for Field Operations". This contact information should be an individual that is responsible for day-to-day operations at this specific license location, such as a plant manager, who should receive correspondence from CFRP regarding sampling and inspections.

#### **Operation Information**

#### Location/Facility Type

This question is to identify whether or not the licensed location has commercial feed on-site.

Feed at this location (storing, handling, manufacturing): Select this option if there are any bulk or packaged feed products (ingredients, mixed feed, organic waste/by-products that will be diverted to

feed, etc.) stored, produced, processed, handled, mixed, or manufactured at the location during any point of the license period.

NO feed at this location (office, broker): Only select this option if there is no commercial feed (packaged or bulk) ever stored or handled at the location. Examples include office locations that are only invoicing sales, brokers, and label guarantors which do not physically handle the feed.

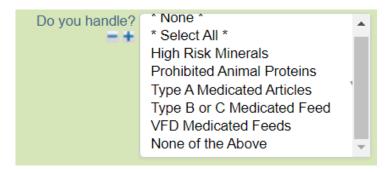
#### **Species**

Select all animal species which feed that is distributed from this facility is intended for. If the specific animal species is not listed, select the closest available options. If none of these options match the species for which you manufacture feed, it is possible those species are exempt.

- Aquaculture/Fish
- Bee
- Beef Cattle/Heifer/Calves
- Dairy Cattle/Heifer
- Dairy Calves/Veal
- Exotic (Ratite/Camelid/Deer/etc.)
- Gamebirds (Quail/Pheasant/etc.)
- Horse/Equine
- Insects
- Poultry (Chicken/Turkey/Duck)
- Sheep/Goat
- Small Animal (Rabbit, etc.)
- Swine/Hogs
- Multiple Species (Specify)
- Unknown

#### Do you handle?

This question identifies the types of feed that are handled at the facility.



- High Risk Minerals may include, but are not limited to, selenium over 600 ppm and copper.
- Prohibited Animal Proteins are defined in US FDA Guidance for Industry #68:
   https://www.fda.gov/regulatory-information/search-fda-guidance-documents/cvm-gfi-68-small-entities-compliance-guide-protein-blenders-feed-manufacturers-and-distributors
- Type A Medicated Article, Type B, C, and VFD Medicated Feeds are defined in Code of Federal Regulations Title 21, Section 558.3: https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/cfrsearch.cfm?fr=558.3

# **Feed Operation Classifications Guide**

Select one or more of the following Feed Operation Classifications to describe what the licensed

location does. The options that appear here will be different depending on the selection made in "Location/Facility Type". If you Select "**NO feed at this location**", two options will be available:



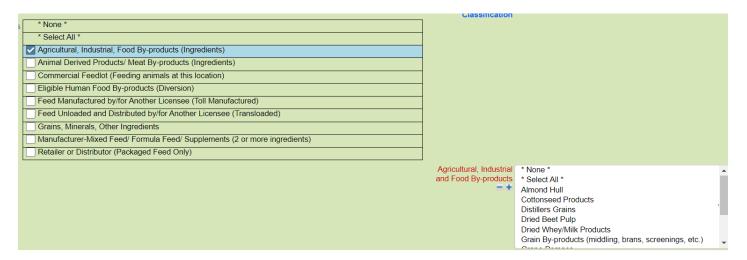
- A Broker/Re-seller is a firm that buys and sells feed without physically storing or handling it.
- An Office/Headquarters/Guarantor is a location which name and/or address is placed on the feed label as the guarantor, or billing/invoicing occurs at this location.

If you selected "Feed at this location", nine options will be available:



Check all that apply for the location being licensed. For each chosen Feed Operation Classification, a box will appear to the right to allow for selection of all corresponding products that are sold or distributed <u>from</u> the licensed location. If you select Other (Specify) for any of the operation classifications, a required text box will appear. You will need to fill this in to proceed.

Note: "Commercial Feedlot (Feeding animals at this location)" does not have any additional selections that will appear.



Please read all nine definitions and associated products before making your selection(s).

**1. Agricultural, Industrial, and Food By-products (Ingredients):** Select this option if agricultural, industrial, or other food by-products are distributed from the licensed location. This section DOES NOT include eligible by-products listed in Feed Operation Classification #4.

Select all product types sold or distributed from this location:

- Almond Hull
- Dried Beet Pulp
- Cottonseed Products
- Distillers Grains
- Grain By-products (middlings, meals, brans, etc.)
- Oilseed By-products (canola, soybean, safflower, sunflower, etc.)
- Molasses
- Dried Whey/Milk Products
- Grape Pomace
- Nut By-products
- Other (Specify)
- **2. Animal Derived Products/Meat By-products (Ingredients):** Select this option if animal derived products/meat by-product ingredients are distributed from the licensed location.

Select all product types sold or distributed from this location:

- Animal Fat and Tallow
- Dried Poultry Litter
- Feather Meal
- Fish Meal
- Meat and Bone Meal
- Other (Specify)
- Poultry By-products
- 3. Commercial Feedlot (Feeding Animals at this Location): Select this option if the firm mixes/manufactures feed and feeds any animals they do not own at this licensed location. (Note: A commercial feed license is not required for farms and ranches solely feeding animals they own.)
- 4. Eligible Human Food By-products (Diversion): Select this option if eligible human food by-products specifically listed under <u>California Code of Regulations</u>, <u>Title 3</u>, <u>Section 2804</u> are distributed from the licensed location. The products must not be further processed (i.e. dried or mixed with another ingredient) in order to be in this feed operation classification. The products must meet one or more of the ingredient definitions listed below otherwise they are not eligible. View <u>Human Food By-Products Definitions</u> for further information.

Select all product types sold or distributed from this location:

- Brewers Wet Grain
- Cull Fruit & Vegetable
- Dried Bakery Product/ Cereal Food Fines
- Recovered Retail Food
- Restaurant Food Waste
- Wet Food Processing Waste
- Wet Fruit/Vegetable Pomace/Pulp (includes the following:)

- Wet Apple Pomace
- Wet Beet Pulp
- Wet Citrus Pulp
- Whey/Dairy By-Products (Liquid) (includes the following:)
  - o Condensed Whey-Product
  - Whey
  - Condensed Whey Permeate
  - Condensed Delactosed Whey Permeate
  - Dairy Food By-products
- **5. Feed Manufactured by/for Another Licensee (Toll Manufactured):** Select this option if the location is engaged in toll manufacturing. (Note: the owner/label guarantor of the product is responsible for obtaining a license at all locations where feed is manufactured and distributed to customer on their behalf, as well as the headquarters location address which appears on the label.)
  - <u>Do Not Manufacture Sell Under Own Label:</u> Select this option as the owner/guarantor obtaining a commercial feed license at the location of the company which is physically toll manufacturing and distributing feed with your company name on the label.
  - <u>Toll Package/Manufacture for Other Licensees:</u> Select this option if the location manufactures and distributes feed with a different company's name on the label.
- **6. Feed Unloaded/Distributed by/for Another Licensee (Transloaded):** Select this option if the location is engaged in transloading. (Note: the owner/label guarantor of the product is responsible for obtaining a license at all locations where feed is stored or handled.)
  - Owner/ Guarantor of Product: Select this option as the owner/guarantor obtaining a commercial feed license at the location of the company which is physically unloading and distributing feed on your behalf.
  - <u>Provide Transload Services for Other Licensees:</u> Select this option if the location unloads, handles, stores, loads, and distributes feed for another licensed firm.
- **7. Grains, Minerals, other Ingredients:** Select this option if the location stores, produces, processes, and/or handles any ingredients other than by-products.

Select all product types sold or distributed from this location:

- Fats and Oils
- Whole Grains (whole seed or rolled, ground, etc.)
- Mineral
- Vitamin
- Additives, Binders, Flavors, other single ingredients.
- Nitrogen Products
- Other (Specify)
- Process Forage (Hay Cubes/Pellets)
- **8. Manufacturer Mixed Feed/ Formula Feeds/Supplements (2 or more ingredients):** Select this option if the location mixes any two or more ingredients together to produce a mixed feed product.

Select all product types sold or distributed from this location:

- Complete Feed
- Liquid Feed

- Medicated Feed
- Mixed Feed
- Supplement/Concentrate
- Tubs/Blocks
- Vitamin/Mineral Premixes
- **9. Retailer OR Distributor (packaged feed only):** Select this option if the location is engaged in non-exempt retail sales or wholesale distribution of packaged feed.

Further specify by selecting one of the following options:

- Retailer-Selling under own label: Select this option if the location sells packaged feed with the retail store's company, name, and/or brand on the label.
- Retailer-Re-packaging feed: Select this option if the location opens packaged feed and repackages into different bags, or if the location allows customers to scoop and bag their own "loose" feed.
- Wholesale Distributor/Warehouse: Select this option if the location buys/sells wholesale packaged feeds.

#### Final Steps to Submit Commercial Feed License Application

Verify that you entered all required fields (red text). Check the **Fee Schedule** section to verify that you are being charged the correct license fee (refer to the section titled Commercial Feed License for fee information). You will need to certify that all the information in the license application is true and correct.



There is an option to upload labels. Please note, CFRP does not require a formalized label review process or product registration to obtain a Commercial Feed License. All commercial feed labels must meet the labeling and use requirements outlined in California Code of Regulations, Title 3, Sections 2688-2698, which can be found here:

<u>https://www.cdfa.ca.gov/is/docs/FeedLaw\_Regs.pdf</u></u>. A labeling guide for livestock feed labels in California can be found here:

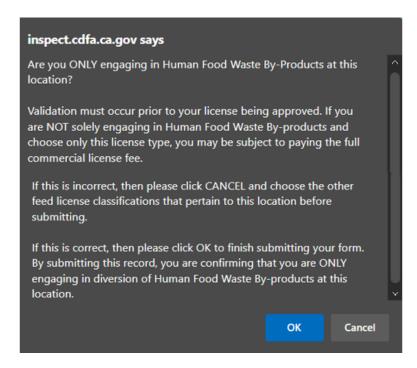
https://www.cdfa.ca.gov/is/ffldrs/pdfs/California\_Commercial\_Feed\_Labeling\_Guide.pdf.

The Safe Animal Feed Education Program (SAFE) will provide review of labels by request to help industry members with any labeling questions or concerns they may have by emailing <a href="mailto:safe@cdfa.ca.gov">safe@cdfa.ca.gov</a>.

Once your application is complete hit the Submit button, found at the top or bottom of your screen.

Submit

If you are applying for an Eligible Human Food By-products (Diversion) license and it is the sole feed operation classification, then you will see a notification at the top of the screen. Read carefully and choose the best option for your location.



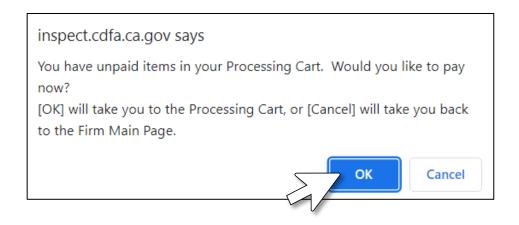
Once you have fully submitted your application, you will be able to see the license on your landing page, under **LICENSES**.



'New' status on a license means that it has not been paid for. To pay for your license you will go to your cart.

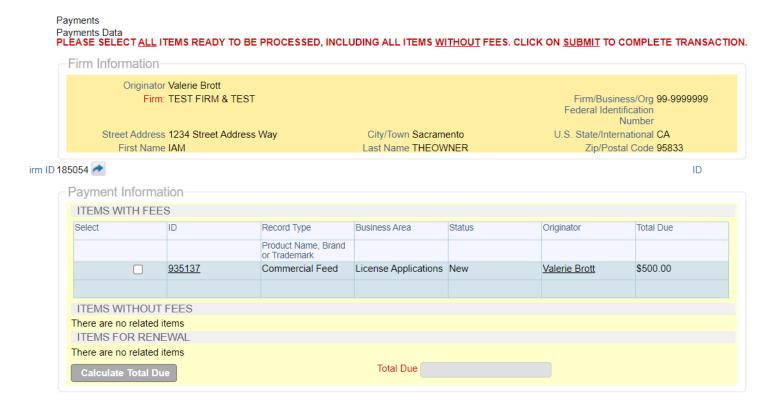
# How to Pay for Items in Your Cart

There are two ways to access your cart to pay for your license. You may select OK to the pop-up window shown below, or you can select the cart link found on your home landing page.





Accessing your cart will open a new window. Any items that need to be paid will be listed in this window under **ITEMS WITH FEES.** 



Select the check box for the item(s) that you would like to pay for. You may pay for more than one item at a time, if needed. The license ID will be listed under ID, so you can identify which license you are paying for.

Click 'Calculate Total Due' to add the license fee for payment. This will calculate the items you have selected, and a Payment Type will appear on the right. Select Check or Credit Card.

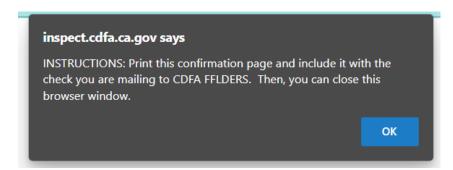


#### Paying with Check

Select 'Check' as **Payment Type**, and then make the check payable to CDFA and send to the address listed below.



Once you submit, a notification with instructions will show at the top of your screen. Please follow the instructions by printing your confirmation page and sending with the check to CDFA.



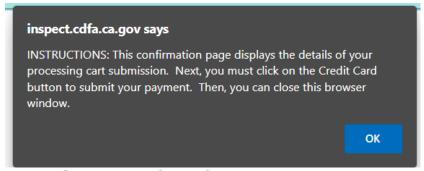
Your license status will then move to "Pending Payment" until payment confirmation is received by the cashier in approximately 2-5 weeks. Once received, the status will change to "Pending Review" until approved.

### Paying with Credit Card

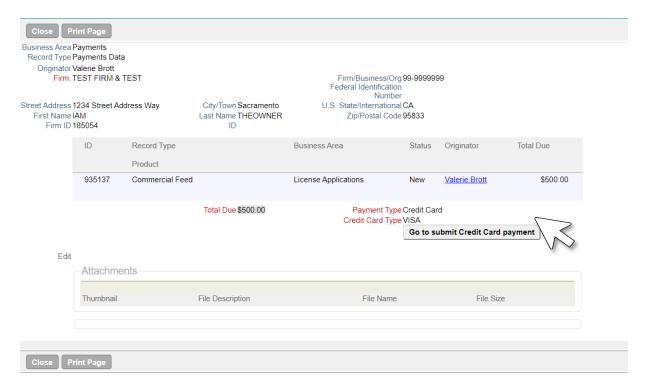
If you select Credit Card, the credit card types accepted are American Express, MasterCard and VISA. Select the credit card type you are going to pay with and then hit submit at the top of the page.



A notification with instructions will appear at the top of the screen. Please follow the instructions.



Hit the 'Go to submit Credit Card payment' button to enter your credit card information.



Once you have entered your credit card information hit Submit Payment.

# **FFLDRS Payment Form**

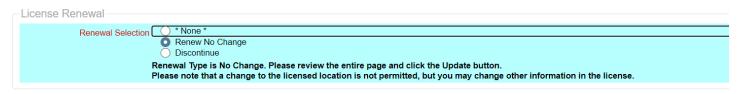
Payment ID: 935140 Amount: 500.00 Name: IAM THEOWNER Firm Name: TEST FIRM & TEST Address: 1234 Street Address Way Sacramento, CA 95833 Description: Payment Items: 935137-Credit Card Number: Expiration Month: 01 - January 2018 🕶 Year: Submit Payment Copyright © 2018 California Department & Food and Agriculture

Once your payment is processed the status of your license will change to Pending Review immediately. CDFA will review your license for approval and be in touch if anything else is needed.



#### How to Renew or Discontinue a Commercial Feed License

Licenses expire on June 30 each year and must be either renewed or discontinued. Renewals are due by July 31 and considered delinquent with a fine of an additional \$100 on August 1. After June 30, when you login to your ExtraView account, scroll down to the **LICENSES** Section and for each license in "Expired" status, click Edit. This following page will appear.



#### Renewals

To renew the license, select "Renew No Change". You may not make changes to a license during

renewal. However, please review all operation information and feed operations selected. If operation information has changed, please email <a href="mailto:feed\_lvstk@cdfa.ca.gov">feed\_lvstk@cdfa.ca.gov</a> to have the information revised.

If the operation has changed ownership, the company name has changed, the address has changed, or the physical location has changed, the license will need to be **discontinued and a new license application submitted**. If there are still products and/or bill of lading in the channels of trade with the old business name and/or address, then the current license will ALSO need to be renewed.

#### Out of Business/ Discontinue

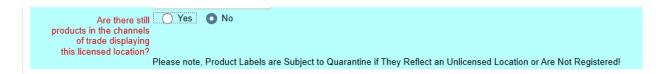
If the location is out of business at license renewal time (when your license has expired), select "Discontinue" from the drop-down menu. If you leave the license in 'Expired' and do not discontinue, the location will be flagged for follow-up of expired license. The CFRP is not able to discontinue licenses on your behalf. Once "Discontinue" is selected you will have to verify if **ANY** of your products are still in the channels of trade.



**a.** If you have products in the channels of trade, select "YES". You **WILL** need to renew your license for these products.



**b.** If you **DO NOT** have products in the channels of trade, select "NO". Your license will be changed to "Discontinue" status and renewal is not required.



**c.** Click **UPDATE** to save the changes, otherwise the status of the record will not change.

If you are out of business, it is **NOT** renewal time, and your license is still in approved status you may contact the Commercial Feed Regulatory Program at <a href="mailto:feed\_lvstk@cdfa.ca.gov">feed\_lvstk@cdfa.ca.gov</a> or by calling (916) 900-5022 to state you need to discontinue you commercial feed license.

If you are out of business and have **TONNAGE** to report for the quarter; follow these same steps and continue to report tonnage.