



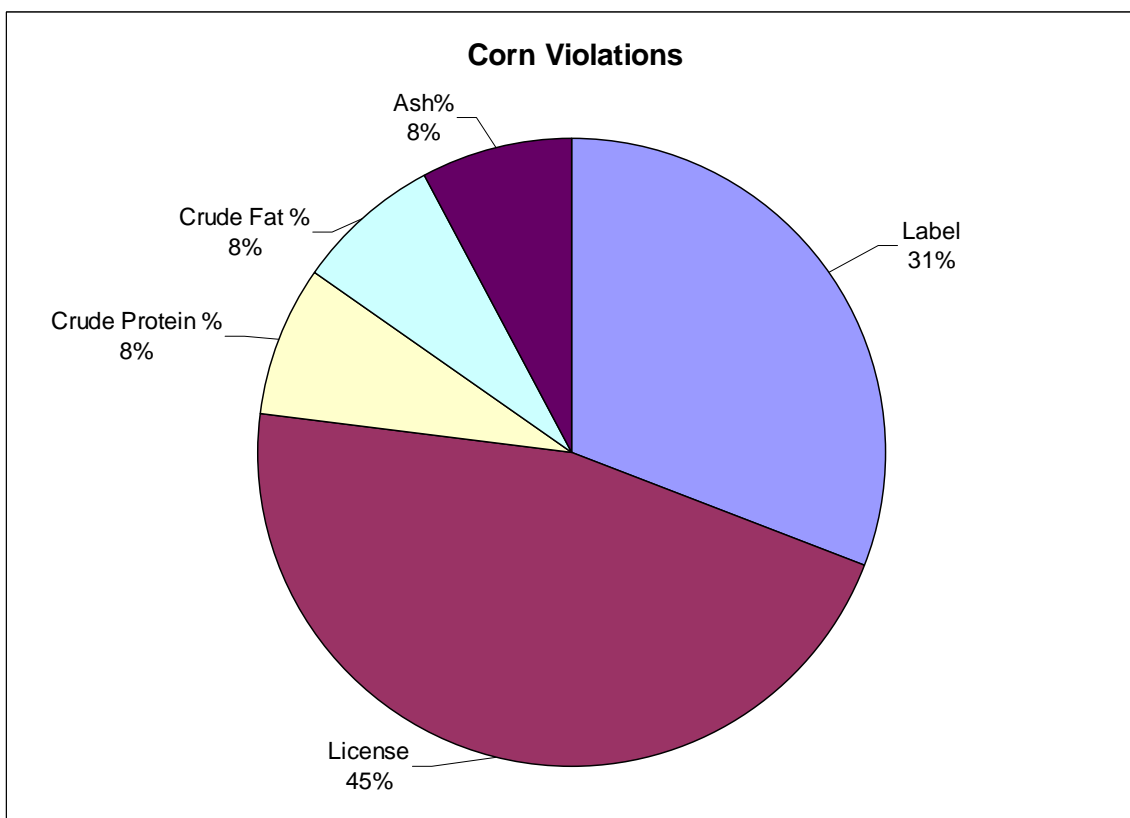
CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Corn Products

(January 1st, 2012 – August 1st, 2012)

47 assay reports were obtained for Corn Products for this reporting period.

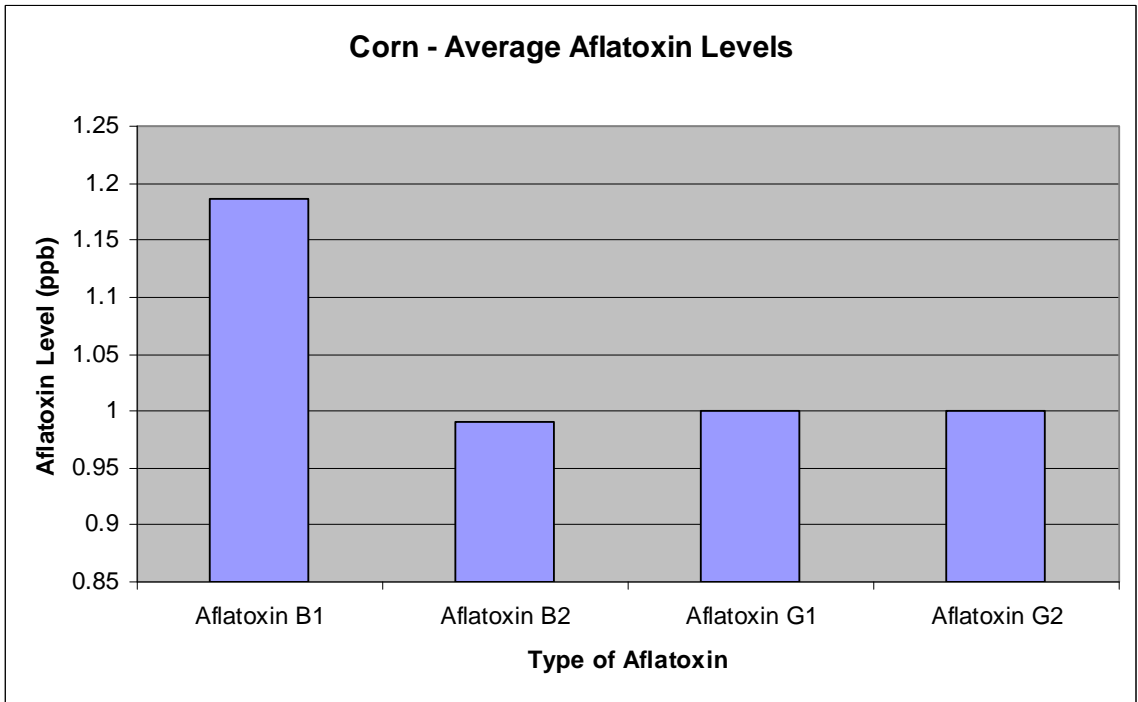
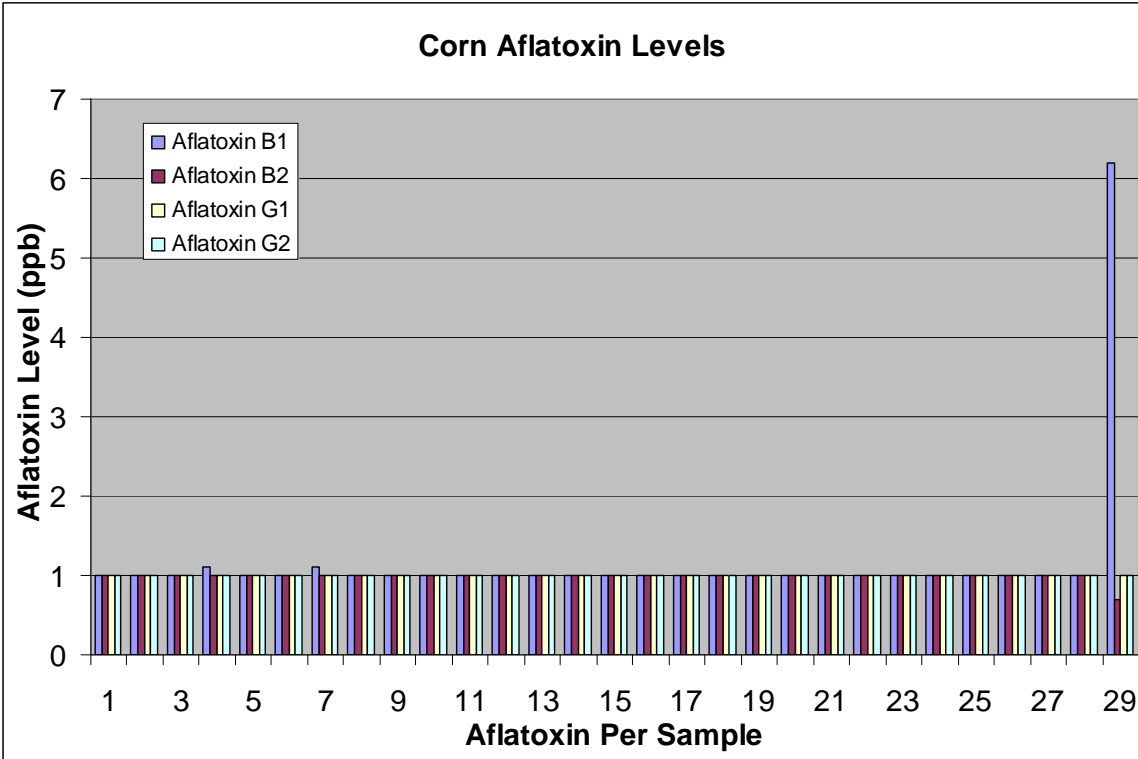
- Of these samples, 13 violations occurred (violations rate 27%), of which,
 - Licensing Violations (Not Licensed to Sell Product): 45%
 - Label Violations (Incorrect Labeling): 31%
 - Crude Fat % Violations (Didn't Meet Minimum Guarantee): 8%
 - Crude Protein % Violations (Didn't Meet Minimum Guarantee): 8%
 - Ash% Violation (Ash% in Excess): 8%



29 of the 47 reports tested for Aflatoxin levels, with no violations occurring.

- Aflatoxin levels were maintained between 0.5ppb -6.2ppb, and an average level of 1.04ppb.
- Aflatoxin B1 levels were maintained between 1ppb-6.2ppb, with an average level of 1.19ppb.

- Aflatoxin B2 levels were maintained between 0.7ppb-1ppb, with an average level of 0.99ppb.
- Aflatoxin G1 levels were maintained at 1ppb, with an average level of 1ppb.
- Aflatoxin G2 levels were maintained at 1ppb, with an average level of 1ppb.



2782. Corn Products

- (a) Corn Bran is the outer coating of the corn kernel, with little or none of the starchy part or germ.
- (b) Corn Feed Meal is the fine siftings obtained in the manufacture of screened corn chop, screened ground corn, or screened cracked corn with or without its aspiration products added.
- (c) Ground Corn, Corn Meal, Cracked corn, Corn Chop is the entire product made by grinding, cutting, or chopping the grains of sound Indian corn, and may be fine, medium, or coarse, and contains not more than 4.0 percent of foreign material.
- (d) Screened Corn Chop, Screened Ground Corn, or Screened Cracked Corn is the coarse portion of the corn chop, ground corn, or cracked corn from which most of the fine particles have been removed, and contains not more than 4.0 percent of foreign material.
- (e) Corn Grits or Hominy Grits is the fine or medium sized, hard flinty portions of sound Indian corn and contains 5.0 percent or less of the bran or germ.
- (f) Ear Corn Chops is corn and cob chopped, without the husk, with no greater proportion of cob than occurs in the ear corn in its natural state.
- (g) Corn Gluten Meal is that part of commercial shelled corn that remains after the extraction of the larger part of the starch and germ, and the separation of the bran by the process employed in the wet milling manufacture of corn starch or syrup. It may or may not contain fermented corn extractives or corn germ meal.
- (i) Hominy Feed is a mixture of corn bran, corn germ, and a part of the starchy portion of either white or yellow corn kernels or mixture thereof as produced in the manufacture of pearl hominy, hominy grits, or table meal and contains not less than 4.0percents crude fat. If prefixed with the words “white” or “yellow”, the product must correspond thereto.
- (j) Corn Germ Meal (Wet Milled) is ground corn germ from which most of the solubles have been removed by steeping and most of the oil removed by hydraulic, expeller, or solvent extraction processes, and is obtained in the wet milling process of manufacture of corn starch, corn syrup, or other corn products.
- (k) Corn Germ Meal (Dry Milled) is ground corn germ which consists of corn germ with other parts of the corn kernel from which part of the oil has been removed and is the product obtained in the dry milling process of manufacture of corn meal, corn grits, hominy feed, and other corn products.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

Article 8. Mislabeling

15031. A commercial feed is mislabeled in all of the following cases:

- (a) Its labeling is false or misleading in any particular.
- (b) It is not labeled as required by this chapter.

- (c) Any word, statement, or other information required pursuant to this chapter to appear on the label is not prominently placed thereon with such conspicuousness, as compared with other words, statements, designs, or devices in the labeling and in such terms as to render it likely to be read and understood under customary conditions of purchase and use.

Article 9. Adulteration

15041. A commercial feed is adulterated in the following cases:

- (a) It bears or contains any poisonous, deleterious, or nonnutritive substances in amounts which are specified as being unsafe by the secretary by the regulations.
- (b) If any valuable constituent has been in whole or in part omitted or abstracted therefrom or any less valuable substance substituted therefore.
- (c) Its composition differs from, or quality falls below, that which is purported or is represented to possess by its labeling.
- (d) It contains a drug or drugs or other additives and the methods used in or the facilities or controls used for its manufacture, processing, or packaging do not conform to current good manufacturing practice regulations adopted by the secretary to assure that the drug or drugs or other additives meet the requirement of this chapter as to safety and has the identity and strength and meets the quality and purity characteristics which it purports or is represented to possess.

15042. The sale or distribution of any lot, parcel, or package of commercial feed deemed by the secretary to bear or contain poisonous, deleterious, or nonnutritive substance in amounts which are specified as being unsafe by the secretary by the regulation is an infraction punishable by a fine of not more than five hundred dollars (\$500). A second or subsequent violation of this section is a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000).

Article 12. Violations

15071.

- (a) Unless otherwise specified, any violation of this chapter or the regulations adopted pursuant to it is a misdemeanor which is punishable by a fine of not more than five hundred dollars (\$500) for the first violation and not less than one thousand dollars (\$1,000) for each subsequent violation.
- (b) The secretary may, after a hearing, refuse to issue or renew, or may suspend or revoke a license for any violation of this chapter or any regulation which is adopted pursuant thereto.
- (c) Upon calling a hearing, the secretary shall serve notice personally or by mail to the licensee specifying the time and place at least 10 days prior to the hearing. At the hearing, the secretary, may do all of the following:
 - (1) Administer oath and hear testimony.
 - (2) Issue subpoenas requiring the attendance of the licensee and witness.
 - (3) Compel the disclosure of the licensee to any witness of all the facts known to him or her regarding the case. In no instance shall any employee of the Feed,

Fertilizer, and Livestock Drugs Branch serve as the hearing officer in any case under this section.

15071.5

- (a) In lieu of any other penalty provided by this chapter, the secretary may levy a civil penalty against a person who violates Section 15051, 15053, 15054, in an amount not to exceed five hundred dollars (\$500) for each violation.
- (b) Before civil penalty is levied, the person charged with the violation shall receive notice of the nature of the violation.
- (c) Any person against whom a civil penalty is imposed pursuant to this section may appeal to the secretary within 10 days of receiving notification of the penalty in accordance with the following procedure:
 - (1) The appeal shall be in writing and signed by the appellant or his or her authorized agent, and shall state the grounds for the appeal.
 - (2) Any party may, at the time of filing the appeal of within 10 days thereafter, submit written evidence and a written argument to the secretary.
 - (3) The secretary may authorize a person to present an oral argument on their behalf. The person shall submit a request to present an oral argument at the same time the written evidence or written arguments are submitted.
 - (4) If a request to present an oral argument is granted by the secretary, the secretary shall give written notice of the time and place for the oral argument not less than 10 days prior to the date set for the oral argument. This time requirement may be altered by an agreement between the secretary and appellant.
 - (5) The secretary shall decide the appeal on the basis of the oral and written arguments, briefs, and evidence presented to the secretary.
 - (6) The secretary shall render a written decision within 45 days of the date the appeal was received or within 15 days of the date of the oral argument, which date is later.
 - (7) On an appeal pursuant to this section, the secretary may sustain the decision, modify the amount of the penalty imposed, or reverse the decision. A copy of the secretary's decision shall be delivered or mailed to the appellant.
 - (8) The decision of the secretary may be reviewed pursuant to Section 1094.5 of the Code of Civil Procedure.
- (d) Any funds recovered by the secretary pursuant to this section shall be deposited in a special account in the Department of Food and Agriculture Fund ad, notwithstanding Section 13340 of the Government code, are continuously appropriated to cover costs related to the enforcement of this division.

15072. IT is unlawful for any person to manufacture or distribute in this state any commercial feed without complying with the provisions of this chapter and the regulations which are adopted pursuant to it.

15072.5. It is unlawful for any person to use commercial feed containing drugs or food additives except in compliance with all directions for use stated on any tag or label affixed to or accompanying the commercial feed.

15073. The secretary may seize and hold any lot of commercial feed which he has reasonable cause to believe is in violation of the provisions of this chapter or the regulations adopted pursuant to it.

15074. If the secretary seizes any lot of commercial feed, he shall immediately issue to the person that has control of such feed a hold order to notice. He may affix to the lot or package of such feed a warning tag which states that the lot is so held.

15075.

- (a) Any lot of commercial feed for which a hold order or notice is issued shall be held by the person having control of the feed and shall not be distributed or move except under the specific directions of the secretary pending final disposition pursuant to this chapter. This restriction does not prevent the person having control of the feed from inspecting any feed so seized, nor from taking there from, in the presence of a person designated by the secretary, a reasonable sample for evidence.
- (b) The movement, distribution, or sale of all or part of any lot, parcel, or package of commercial feed that has been quarantined by the secretary, unless the movement has the prior approval of the secretary, is a misdemeanor punishable by a fine of not more than five hundred dollars (\$500). A second or subsequent violation of this subdivision is a misdemeanor punishable by a fine of not less than one thousand dollars (\$1,000).

15076. Any lot of commercial feed which is seized and held pursuant to this chapter, unless previously analyzed by the secretary, shall be sampled and promptly analyzed within a reasonable period of time, as set by the secretary of regulation, after the seizures for the purpose of determining if such commercial feed is, in fact, in violation of the provisions of this chapter or the regulations adopted pursuant to it. The person having control of the feed shall be immediately notified by the secretary as to whether or not the sample was found to be in violation. If the results of the analysis are not made known to the person having control of the feed within the period of time specified by the secretary by regulation, the lot of commercial feed being held shall be immediately released and the hold order or tag removed.

15077. Upon demand of the person having control of the seized feed and within 10 days of sampling by the secretary, a subsample shall be returned from the state laboratory to the person in control of the feed.

15078. If the seized and held lot, as determined by the secretary's analysis, is not in violation, the secretary shall immediately release the seized and held lot and remove the hold order or tag.

15079. If the seized and held lot is found to be in violation, the secretary shall either:

- (a) Continue to hold the lot until such time as the requirements of this chapter have been complied with, at which time the lot shall be released.
- (b) Issue orders for the disposal of the lot in a manner specified by the secretary.

15080. The authority of the issuance of citations under this chapter is limited to violations of Section 14991, 15011, 15042, 15056, or 15075. The procedures for the issuance of citation and penalties shall be prescribed in a citations policy adopted by the secretary, notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, upon the recommendation of the Feed Inspection Advisory Board.

2734. Adulteration

A commercial feed shall be deemed to be adulterated:

(a) (1) If it bears or contains any poisonous or deleterious substance which may render it injurious to healthy but in case the substance is not an added substance, such commercial feed shall not be considered adulterated under this subsection if the quantity of such substance in such commercial feed does not render it injurious to health; or

(2) If it bears or contains any added poisonous, added deleterious, or added nonnutritive substance which is unsafe within the meaning of section 406 of the Federal Food, Drug, and Cosmetic Act (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; or (ii) a food additive); or

(3) If it is, or it bears or contains any food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act; or

(4) If it is a raw agricultural commodity and it bears or contains a pesticide chemical which is unsafe within the meaning of section 408(a) of the Federal Food, Drug, and Cosmetic Act: Provided, that where a pesticide chemical has been used in or on a raw agricultural product in conformity with an exemption granted or a tolerance prescribed under section 408 of the Federal Food, Drug and Cosmetic and such raw agricultural product has been subjected to processing such as canning, cooking, freezing, dehydrating, or milking, the residue of such pesticide chemical remaining in or on such processed feed shall not be deemed unsafe if such residue in or on raw agricultural commodity has been removed to the extent possible in good manufacturing practice and the concentration of such residue in the processed feed is not greater than the tolerance prescribed for the raw agricultural commodity unless the feeding of such processed feed will result or is likely to result in a pesticide residue in the edible product of the animal, which is unsafe within the meaning of section 408(a) of the Federal Food, Drug, and Cosmetic Act.

(5) If it is, or it bears or contains any color additive which is unsafe within the meaning of section 721 of the Federal Food, Drug, and Cosmetic Act.

(6) If it contains more than 20 part per billion aflatoxins.

(b) The use or intended use in ruminant feed of any material that contains protein derived from prohibited Mammalian tissues causes the feed to be adulterated and in violation of the Food and Agricultural Code.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 15011 and 15041, Food and Agricultural Code.