



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

April 3, 2017

To: Commercial Feed Licensees:

NOTICE TO THE COMMERCIAL FEED INDUSTRY

Commercial Feed Licensees that fall under the US FDA's "Farm" Exemption

The California Department of Food & Agriculture's (CDFA) Safe Animal Feed Education (SAFE) program would like to provide clarity to the California feed industry regarding the Food and Drug Administration's (FDA), Food Safety Modernization Act (FSMA), "farm" definition, specifically, facilities that operate a feed mill on site.

To fall under the FDA's FSMA "farm" definition, a facility must operate under the following parameters:

"A primary production farm is an operation under one management in one general (but not necessarily contiguous) physical location devoted to the growing of crops, the harvesting of crops, the raising of animals (including seafood), or any combination of these activities. The term "farm" includes operations that, in addition to these activities: (i) Pack or hold raw agricultural commodities; (ii) Pack or hold processed food, provided that all processed food used in such activities is either consumed on that farm or another farm under the same management, or is processed food identified in paragraph (1)(iii)(B)(1) of this definition; and (iii) Manufacture/process food, provided that: (A) All food used in such activities is consumed on that farm or another farm under the same management; or (B) Any manufacturing/processing of food that is not consumed on that farm or another farm under the same management consists only of: (1) Drying/dehydrating raw agricultural commodities to create a distinct commodity (such as drying/dehydrating grapes to produce raisins), and packaging and labeling such commodities, without additional manufacturing/processing (an example of additional manufacturing/processing is slicing); (2) Treatment to manipulate the ripening of raw agricultural commodities (such as by treating produce with ethylene gas), and packaging and labeling treated raw agricultural commodities, without additional manufacturing/processing; and (3) Packaging and labeling raw agricultural commodities, when these activities do not involve additional manufacturing/processing (an example of additional manufacturing/processing is irradiation);"

This means that firms that manufacture feed and feed livestock may be considered a "farm" per the FDA language above, if both the manufacturing and livestock feeding is





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occurring under the same management. To fall under the “farm” definition, it is not required that any of the animals be owned by the managing firm. However, it is required that all of the animals are under one management.

Facilities that fall under this definition may include feed lots, poultry facilities, or any facility that raises livestock or aquaculture for human consumption, if the feed that is being fed to the animals is manufactured on farm and the facility is under one management.

CDFA’s SAFE program will continue to provide outreach and education to these facilities upon request; it is important to keep lines of communication open with industry, as requirements are always subject to change. Furthermore, the CA Feed Inspection Program will continue to provide the feed industry with Readiness Inspection’s for FSMA’s Current Good Manufacturing Practice (CGMP) requirements throughout the 2017 calendar year.

While firms that fall under the “farm” definition are currently exempt from the FSMA CGMP requirements, all firms that manufacture medicated feed are still required to comply with the Medicated Feed current Good Manufacturing Practice (cGMPs), including the FDA Licensed and Non-Licensed Medicated cGMP regulations and will be inspected accordingly.

Although “farms” are not required to comply with FSMA regulations, CDFA’s Feed Program recommends implementation of FSMA CGMPs and that approved supplier documentation be maintained. The SAFE program is available to provide outreach and education on FSMA related topics, guidance on compliance issues, and educational audits for firms who choose to implement FSMA regulations as a proactive quality assurance program.

For resources and materials regarding FSMA regulations and compliance please visit the SAFE website at: <https://www.cdfa.ca.gov/is/ffldrs/safe/html>

Please direct any questions or concerns to CDFA’s Feed and Livestock Drugs Inspection Program, the Safe Animal Feed Education Program, or the field staff representative in your local area.

Sincerely,

(Original Signed by Jenna Areias)

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