

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (Department)

**FEED INSPECTION ADVISORY BOARD (FIAB) MEETING
WEB CONFERENCE**

**January 13, 2022
1:00 PM – 4:00 PM**

MINUTES

BOARD MEMBERS

Dan Rice
David Meeker
Jed Asmus
Jeremy Banducci
Kate Horstmann
Marit Arana (Chair)
Paul Parreira (Vice Chair)
Shay Rambur

MEMBERS ABSENT

Michael Koewler

CDFA STAFF

Adriana Avalos
Amadou Ba
Angelia Johnson
Ashley James
Brittnie Williams
Cathryn McCandless
Elizabeth Moseby
Erika Lewis-Ortega
Jenna Leal
Jessica Lugo
KC Gutenberger
Kelly Mammen
Maria Tenorio Alfred
Mike Davidson
Rachelle Kennedy
Samantha Moran-Defty
Theodore Bert
Valerie Brott

INTERESTED PARTIES

Mike Filigenzi
Tad Bell
Sabine Hargrave

INTRODUCTIONS AND ANNOUNCEMENTS

Dr. Marit Arana, Chair, called the meeting to order at 1:03 pm. Chair Arana informed the interested parties that per the Bagley-Keene Open Meeting Act, they are not required to identify themselves but were welcome to do so. Self-Introductions were made, and a quorum was established.

APPROVE OCTOBER 27, 2021 MEETING MINUTES

Chair Arana requested the Board review the minutes from the October 27, 2021 FIAB meeting.

MOTION: Jeremy Banducci moved to approve the meeting minutes as presented. Paul Parreira seconded. The motion passed unanimously with a vote by all board members present with of 8 to 0.

DEPARTMENT / DIVISION / BRANCH UPDATES

Dr. Amadou Ba stated headquarters was closed due to COVID protocols. The Department's Financial Services staff are going into the office solely to process checks. Brittnie Williams returned from leave and Dr. Ba thanked staff for keeping the process going during Williams' absence. Danny Parks is planning to retire this year.

The move from 2800 Gateway Oaks Drive to 2399 Gateway Oaks Drive is still in process. It was estimated the move should be completed sometime in February 2022.

The FIAB previously approved funding of approximately \$3 million dollars to address water quality regulations. Funds from the United States Department of Agriculture's (USDA) Conservation and Innovation Grant brought in an additional \$2 million to supplement the Board approved funds. There will be a subaward to the University of California (UC), Agricultural and Natural Resources (ANR) and to UC Davis. An additional Specialty Crop Block Grant for \$751,000 was also approved. These funds will be used to work in conjunction with the UC ANR over the next three years to work with staff at the field level to assist growers in complying with water quality regulations.

The National Organic Standard Board (NOSB) met and determined they would not accept ammonia extract as an organic input material. The NOSB recognizes that it is not a synthetic product. The Department consulted with the National Organic Program (NOP). NOP said in absent of regulation, the Department can accept the products for now. The Department will proceed in registering ammonia extract products. However, once the NOP promulgates regulations, there may be changes.

On January 12, 2022, Secretary Ross met with stakeholders to give a briefing on the Governor's Budget. The supply chain is a top priority with an allocation of \$2.3 billion being invested in port infrastructure. This includes railroads, bridges, commercial drivers' licenses, operations improvements and zero emission vehicles. Approximately \$110 million will be spent for the Goods Movement Training Campus for the adoption of new technologies designed to enhance transport within the supply chain. Other details are available on the Department's blog, "Planting Seeds", for line-item funding that contributes to agricultural industries.

Several members of the fertilizer industry have commented that because of the current supply chain issues, there will be a change in types of crops grown.

FUND CONDITION / TONNAGE REPORTING

Jenna Leal presented the fund condition and tonnage reports to the FIAB. Leal stated the data being presented at this meeting was updated with the most current figures. The beginning balance for the Feed Program on July 1, 2021 was \$3,386,124. The beginning balance for the Safe Animal Feed Education (SAFE) Program was \$797,111. The combined total for both programs was \$4,183,235.

Revenue generated between July 1, 2021 and August 31, 2021 totaled \$1,383,734 for the Feed Program and \$76,207 for the SAFE Program. Total combined revenue was

\$1,459,941. Expenditures totaled \$647,215 for the Feed Program and \$50,431 for SAFE. The combined expenditures were \$697,646. Encumbrances totaled \$1,302,584 for the Feed Program and \$13,574 for SAFE. The combined encumbrances for both programs were \$1,316,158. The adjusted ending balance as of August 31, 2021 was \$2,820,059 for the Feed Program and \$809,313 for SAFE. The combined adjusted balance of both programs was \$3,629,372.

The tonnage report showed a strong quarter for July through September 2021. Tonnage reporting looks to be on track for the following quarter as well. Changes were made to the database to prepare for regulations and incentivizing specific categories of by-products.

PROGRAM UPDATES

Leal shared that there were many monumental tasks accomplished in the past couple of years. Tremendous improvements and changes were accomplished because of the expertise and devotion of various board members and Feed Program staff. This work has developed positive changes for both the Feed Program and feed industry. There were five meetings in 2020 and four in 2021. There were seven strategic planning meetings held from Fall of 2019 through 2021. The Almond Hull Committee and Technical Advisory Subcommittee (TASC) had multiple meetings. Leal thanked everyone for their dedication and contributions.

Leal provided staff updates; KC Gutenberger moved to the SAFE Program and Lindsey Smith, who previously worked for USDA, took the position of Environmental Scientist for Northern California. Samantha Moran-Defty and Cathryn McCandless will both be going out on leave early February 2022 and were working to wrap up many projects and contracts prior to taking leave.

The Feed Program has been working to implement Animal Feed Regulatory Program (AFRPS) standards. These standards address 11 criteria for guiding the Feed Program. They have helped to create a robust program that functions more thoroughly and efficiently. The standards include regulatory foundation, training, inspection program, auditing, emergency response, enforcement, outreach and education, planning resources, assessment and improvement, laboratory services, and the sampling program. The overview of activities within the program were presented with that in mind.

Standard 1 - Regulatory Foundation: The regulations for by-products were sent to the Office of Administrative Law (OAL) on December 15, 2022 for the 30-working day review process. The reference attorney did not foresee any issues. However, with the current state of emergency due to public health issues, OAL may require more time and have an extended 120-day review period. The hope is that the regulations are approved, and effective in February 2022, but it may be as late as June 2022.

Leal gave an example of the importance of being involved with regulations and spoke about Assembly Bill (AB) 45. AB 45 allows hemp use for horses. Because the bill was primarily for pets, the language of the bill does not recognize horses as livestock and so

it poses a conflict with the Departments existing statutory authority. ISD is working with the Department's Legal Office and the California Department of Public Health to establish a path forward.

Standard 2 - Training: Trainings include Preventive Controls Qualified Individual (PCQI), Food and Drug Administration (FDA), Leadership, COVID/HIPAA, and new hire Basic Coursework and field training.

Standard 3 - Inspection Program: Included 62 state and federal priority firm inspections out of the 328 contact sheets created for visits. There were 15 complaints that included seven almond hull, three damage/mold, one animal death, one nitrate in hay and two prescription complaints inspected. There is still one complaint that is open. The Inspection Program included genetically modified organism (GMO) items. The Department's State Organic Program is working on specifications for this project. The Feed Program will complete 20 GMO samples, which is manageable under the current parameters. There were 60 Food Emergency Response Network samplings completed under the 2021-22 FDA contract year.

Standard 11 - Sampling: 671 samples were obtained and reported for 2021. 158, or 23%, of these were violations. Out of those 158, 11 still need following up, which will be completed within the required 30 days.

Mike Davidson informed the Board that the percentage of feed safety to label compliance samples shared in this presentation does not reflect the State of California numbers. Davidson said these were very specific and focused samplings and wanted to be sure it was noted this was not representation for the whole state. Leal agreed.

The AFRPS Standard 4 - Audits: This standard is well-implemented. Currently, the laboratory that works with the Feed Program is working toward International Standardization Organization (ISO) 17025 accreditation for laboratories.

Standard 5 - Emergency response and complaints looked at a hay complaint. In addition, Leal will sit on a panel for the Association of American Feed Control Officials in February 2022. Leal will share how the Department has responded to emergencies and how staff were deployed and provided assistance.

Standard 6 - Enforcement Program: This standard included inspection's addressing livestock drugs veterinary feed. An additional Compliance Officer (Ted Bert) has been added to help improve efforts to ensure consistency. Bert will be working with Shelly King and the Feed Program to help gain compliance for those who are not in compliance.

Standard 7 - Outreach and Education: The SAFE Program had procedures in place for trainings. Trainings for SAFE include PCQI, human food facility outreach, veterinary feed directive (VFD) training, outreach to facilities that will divert waste for animal feed with Food Animal Residue Avoidance Databank, medicated feed label training. Planned

training will include outreach on the compliance policy and continued human food waste diversion. The SAFE Program will take a proactive approach in working with firms that have recurring violations.

Standard 8 - Planning and Resources: This is an internal function that works on ensuring that the staff's workload is consistent and productive. The Feed Program used work from Feed Inspection, Sampling, VFD and Livestock Drug to analyze and create assignments as needed. It has helped in creating and finalizing contracts, grants, and required paperwork. The realignment that was done with the FIAB's input has helped make the Feed Program more efficient and effective.

Standard 9 - Assessment and Improvement: - This is an internal assessment that is performed twice a year and the results are submitted to FDA in mid-year reports.

Standard 10 - Laboratory Activities: This standard tracks turnaround times, ISO accreditations, and how much sampling is completed and reported.

TECHNICAL ADVISORY SUBCOMMITTEE (TASC) UPDATE AND RECOMMENDATIONS

The hemp for goats' trial could not finish adipose tissue sampling due to winter break and COVID. There was an article in ISD's most recent quarterly newsletter that detailed current findings. Leal offered to email the newsletter to those who are interested in reading it. The cattle hemp by-product feeding received a grant and the study was initiated. Data is being reviewed on a red seaweed product received by the Program. TASC is reviewing the medicated feed carryover policy and bylaws. The Feed Program is waiting to hear recommendations before approving and publishing.

UNIVERSITY OF CALIFORNIA DAVIS LABS

The Feed Program confirmed the Analytical Lab (AN Lab) at UC Davis regarding their protein assay results. CFRP sent split samples to the Department of Texas State Chemist laboratory, the Feed Program's referee lab, for analysis and confirmed AN Lab's results. Fat acid hydrolysis sampling resumed December 8, 2021 and the Feed Program will be submitting to Texas in January. Texas only runs fat samples in January. Almond hull sampling began but had to be stopped pending VELP® equipment validation. The samples were sent to IEH JL Analytical Laboratories, LLC. The Feed Program is working through issues as transition to the new lab continues.

California Animal Health and Food Safety (CAHFS) Lab news included Chair Arana becoming a new board member on the CAHFS board. Tad Bell offered support from the California Grain and Feed Association (CGFA) if needed. CAHFS is working on method development on assays for OTC (oxytetracycline), CTC (chlortetracycline), and vitamins. CAHFS has been running mycotoxin screening. Over 100 samples were taken and there is not a level of concern.

Sabine Hargrave validated Leal's information. Hargrave added that CAHFS is improving assays by developing different matrices. CAHFS also ordered a spinner, which is

equipment used to create better results for determining mycotoxins. CAHFS is waiting for samples to begin its use.

The annual summary for 2021 sampling included a total of 671 samples. There was a total of 28% label compliance and 72% food safety compliance. The Feed Program is trying to make sure samples are meaningful and relevant feed safety sampling.

CALIFORNIA GRAIN AND FEED ASSOCIATION

Bell from CA Grain and Feed Association CGFA reported Elaine Trevino was nominated for a United States Trade Representative position for agriculture and is awaiting senate confirmation. Animal Scientists at UC Davis briefed CGFA on the benefits of the possibility of a GRAS determination and feeding trials of red seaweed. Documents presented by Dr. Frank Mitloehner from the Clear Center at UC Davis were helpful as well in supporting California initiatives to meet Senate Bill 1383's methane emission reduction goals. The Department's consideration in accelerating the approval of such ingredients is beneficial to the feed industry. However, there are concerns in the dairy industry that the California Air Resources Board would eventually mandate feeding of such ingredients. There are a lot of discussions about methane and enteric methane emissions. Bell said the work of the Feed and SAFE programs align well with the administration's goals.

PUBLIC COMMENTS

There were no public comments.

NEXT MEETING / AGENDA ITEMS

The next meeting will need to be before the end of April 2022 because of Board appointments. A doodle poll will be conducted. David Meeker, Jeremy Banducci, and Kate Horstmann were encouraged to fill out and return required documents if they are interested in remaining on the Board.

ADJOURNMENT

MOTION: David Meeker moved to adjourn the meeting. Paul Parreira seconded. The motion was approved unanimously by all present with a vote of 8 to 0.

The meeting was adjourned at 2:19 pm.

ORIGINAL SIGNED BY JENNA LEAL

Jenna Leal, Feed Program Manager
Feed, Fertilizer, and Livestock Drugs Regulatory Services

01/13/2022

Date