

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

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

**March 9, 2016  
1:00 PM**

**MINUTES**

**Members**

John Walth, Chair  
John Kauffmann, Vice Chair  
Bob Berczynski  
Marit Arana  
Michael Koewler  
Paul Parreira  
Thomas Prokop

**CDFA Staff**

Amadou Ba  
Brittnie Sabalbro  
Elaine Wong  
Frank Delgado  
Jenna Areias  
Killeen Sanders  
Maria Tenorio  
Nirmal Saini  
Rick Jensen  
Samantha Moran

**Interested Parties**

Chris Zanobini  
Doug Stabelfeld  
Emery Jones  
Kelly Covello  
Robert Donnelly  
Shay Rambur  
Tad Bell

**Members Absent**

John Silva  
Tim Riordan

**INTRODUCTIONS AND ANNOUNCEMENTS**

Mr. John Walth, Chairman, called the meeting to order at 1:00 p.m. He advised attendees per the Bagley-Keene Open Meeting Act, interested parties are not required to sign in or identify themselves. Self-introductions were made and a quorum was established. Board members Mr. John Silva and Mr. Tim Riordan were absent.

**APPROVE MEETING MINUTES**

Chairman Walth requested the board review the minutes of the October 22, 2015 FIAB meeting.

**MOTION:** Dr. Marit Arana moved to approve the meeting minutes; Mr. Michael Koewler seconded. The motion passed unanimously with a vote by all board members present of 6 – 0.

### DEPARTMENT / DIVISION / BRANCH UPDATE

Mr. Rick Jensen reported the Department's Agency Information Officer (AIO), Mr. Robert Schmidt left CDFA and now works for the Department of Information Technology; Ms. Mary Winkley is the new AIO. The Department's Information Technology Branch is currently focusing on process improvements regarding application development and project management.

The Medical Cannabis Cultivation Program (MCCP) became effective January 2016. The MCCP is within the Division of Inspection Services, and is responsible for issuing licenses to cultivators. Applications will be reviewed to ensure cultivators have local permits, and are compliant with principalities and broad statutes. CDFA will collaborate with the Department of Fish and Wildlife and the State Water Resources Control Board to confirm cultivation plans sufficiently address environmental concerns. Ms. Amber Morris, who was previously with the Plant Health and Pest Prevention Services Division for approximately ten years, was appointed as Branch Chief. The program is in the process of recruiting for additional staff. A Track and Trace database will be designed to track the movement of medical marijuana.

Mr. Bob Berczynski arrived at 1:10 p.m.

Assembly Bill (AB) 1826 was introduced by Assembly Member Mark Stone, and was sponsored by California Certified Organic Farmers. The bill, as introduced, would essentially eliminate the State Organic Program within the Division of Inspection Services. The bill was amended to revise and recast the California Organic Products Act of 2003 as the California Organic Food and Farming Act.

Mr. Jensen announced after 41 years of state service, he will be retiring in July 2016.

Dr. Amadou Ba introduced Ms. Brittne Sabalbro as the Branch's new Associate Governmental Program Analyst and liaison to the board. Ms. Sabalbro came to CDFA from the Department of Managed Health Care and has a degree in Food and Nutrition.

Dr. Ba reported there are currently no bills impacting the Feed program. However, there are two bills impacting the Fertilizing Materials Inspections Program (FMIP): AB 1811 and AB 2511. AB 1811 was introduced by Assembly Member Dodd, and pertains to the frequency of organic input material (OIM) inspections warranted by FMIP. FMIP is currently required to inspect every OIM manufacturer annually; inspections conducted nationwide are not cost effective and exceed the United States Department of Agriculture's (USDA) National Organic Program's (NOP) inspection protocol. AB 2511 was introduced by Assembly Member Levine, and is related to biochar. The biochar industry and the Governor's Office of Planning and Research supports this bill. AB 2511 defines biochar as a type of fertilizing material in a way not to impact bulk soil amendments for non-organic materials. Biochar is now defined as a fertilizing material.

Dr. Ba informed the board Bargaining Unit 10, California Association of Professional Scientists (CAPS), was instructed by the Governor's Office to focus on reaching a new bargaining agreement. This time, the CAPS members ratified the proposed three-year Memorandum of Understanding between CAPS and the Brown Administration. FMIP and lab budget will be impacted. The OIM program was recognized by USDA-NOP as one of three material review organizations in the U.S. that is International Organization for Standards (ISO) certified.

### **BOARD VACANCIES**

Mr. John Kauffmann reported three terms will expire on April 30, 2016. Three applications were received; two of those are from current board members. All three applicants were qualified, and after careful review and discussion, the board recommended the secretary appoint Mr. Thomas Prokop; Chairman, Mr. John Walth; and Mr. Doug Stabelfeld.

**MOTION:** Mr. John Kauffmann moved to recommend to the secretary the appointment of Mr. Thomas Prokop, Mr. John Walth, and Mr. Doug Stabelfeld. Mr. Bob Berczynski seconded; the motion passed by a vote of 5 – 0. Mr. John Walth and Mr. Thomas Prokop abstained.

### **FEED AND LIVESTOCK DRUGS PROGRAM UPDATE**

Ms. Jenna Areias provided each board member with a 2016 Association of American Feed Control Officials (AAFCO) official publication and fiscal year (FY) 14/15 Inspections Services Annual Report. The Annual Report is comprised of a Division overview and highlights recent accomplishments.

The Feed program developed a proposal for the Food and Drug Administration (FDA). The proposal included an overview of the Feed program, CDFA's regulatory authority, and the program's five year outreach and education plan. The outreach and education plan includes ensuring all program staff meet the criteria to be considered a "qualified individual" for the Food Safety Modernization Act (FSMA) regulations. The proposal would allow program staff to conduct feed mill inspections, and would allow staff to be lead auditors for Train the Trainer trainings, which will be offered in Fall 2016 through the Food Safety Alliance. Three proposed inspection checklists were also submitted in areas of Good Manufacturing Practices (GMP), including hazard analysis, preventive controls, and supply chain verification. The program met with FDA in December 2015, and was advised to send a letter to Mr. Michael Taylor expressing intent of a pilot project, which focused on mutual reliance.

Mr. Jensen announced Mr. Taylor, FDA, is stepping down in June and informed the board it appears a replacement has been identified.

Ms. Areias stated FDA is offering training for GMP inspections under FSMA, with proposed dates in August or September 2016. Because large firms must comply with FSMA GMPs in September 2016, CDFA is prioritizing itself towards this mandate. A work plan meeting is scheduled between CDFA and FDA on April 12, 2016.

Mr. Prokop asked if FDA will be prepared to enforce FSMA regulations by September 2016. Ms. Areias stated FDA does not currently seem to be prepared to implement FSMA GMPs, as FDA is currently performing medicated GMP inspections, which they have maintained for licensed firms due to quotas that must be met.

Ms. Areias stated there is currently no industry guidance on gaining compliance with FSMA regulations; however, FDA is developing them for industry. Mr. Tad Bell asked if it is possible for the Secretary to write a letter to Mr. Taylor, FDA, regarding the guidance issue. If there is a compliance date and entities are not prepared, it may be beneficial if the Secretary communicates the level of concern. Mr. Jensen stated it would be an appropriate move if necessary. Mr. Davidson commented most large firms are familiar with GMPs, and should be able to gain compliance by September 2016.

Ms. Areias stated the Feed program has a cooperative agreement with the FDA for the Animal Feed Regulatory Program Standards (AFRPS), which provides the program with \$450,000 for five years. The first step in the cooperative agreement started last year when FDA provided CDFA with \$10,000 to perform a self-assessment of the 11 standards. FDA recently audited the program's self-assessment; FDA auditors provided recommendations and feedback. The Feed program is using a team approach to meet the 11 standards.

Ms. Areias informed the board the Feed program plans to start using AAFCO's Feed Bin; it is an information sharing site with FDA and other entities. Mr. Richard Ten Eyk, past president of AAFCO, will train program staff to use the Feed Bin at the All Staff Meeting in August 2016.

Ms. Areias stated that she, Mr. Davidson, and Ms. Samantha Moran participated in AAFCO's mid-year meeting in South Carolina in January 2016. As chair for the Feed Labeling Committee, Ms. Areias announced a Medicated Feed Labeling Workshop will be held in Pittsburgh, Pennsylvania on July 31, 2016. The workshop will focus on Veterinary Feed Directive (VFD) rules and complex medicated feed labeling. The workshop will have webinar access and be held in conjunction with the annual AAFCO meeting.

Mr. Percy Mejia, a seasonal inspector in El Centro, left the program. The vacant position will be moved from El Centro to Fresno.

### **FIELD ACTIVITIES UPDATE**

Mr. Davidson stated medicated feed manufacturers are now subject to two GMP inspections; one for medicated feed, and one for FSMA. In Fall of 2016, the Safe Animal Feed Education (SAFE) program will conduct outreach and education activities for industry.

Mr. Davidson stated the program's Tissue Residue (TR) contract ends at the end of August 2016; the program expects to complete 100 TR inspections by the end of March 2016.

Mr. Davidson stated the program's Feed contract ends at the end of September 2016; the program expects to complete 75 Bovine Spongiform Encephalopathy (BSE) inspections and 20 non-licensed GMP inspections.

Mr. Davidson iterated AFRPS focused working groups were established to work towards meeting the 11 Standards. All program staff will participate in a variety of trainings throughout summer and fall. Two Feed, Fertilizer, and Livestock Drugs Inspectors will attend a TR training in North Carolina and all other program staff will complete online training developed by FDA.

### **LIVESTOCK DRUGS/SB 27 UPDATE**

Ms. Areias stated the Feed and Livestock Drugs Program budget change proposal (BCP) was approved by the Governor. SB 27's three functional components include: monitoring, stewardship, and regulatory compliance. The BCP submitted reflected positions and funding requests for both the Feed, Fertilizer, and Livestock Drugs Regulatory Services Branch and the Animal Health Branch, in order to prepare for the additional anticipated workload. The program will receive 2.5 employee positions for FY 16/17 for regulation development in areas of monitoring and regulatory compliance. On July 1, 2016, the program will begin recruiting to fill the positions.

Ms. Areias stated the program plans to meet with industry and stakeholders to develop focused technical working groups' on the new program's development. Ms. Areias stated there are also additional requirements through the new VFD Rule. Dr. Arana added the veterinarians know the requirements, but extensive outreach must be developed to educate the industry on the new requirements. The program has distributed VFD brochures at feed mills and retail stores to spread awareness of the new requirements.

### **SAFE AND TASC UPDATE**

Ms. Areias announced a FSMA Seminar will be held at the DoubleTree Hotel in Modesto on March 10, 2016, and is co-sponsored by the California Grain and Feed Association (CGFA) and the National Grain and Feed Association.

The SAFE program is preparing to conduct outreach and education activities, including a Qualified Individual Training that will be offered through CDFA in Fall 2016. All SAFE program staff will participate in FDA's Lead Auditor and Train the Trainer trainings in summer 2016 through the Food Safety Preventive Controls Alliance (FSPCA).

SAFE is seeking a summer intern to assist the FIAB's Technical Advisory Subcommittee in reviewing ingredient safety and efficacy data of new and novel feed ingredients. SAFE will also be offering training based on the Process Verification Inspection results, which indicates where firms need the most assistance in order to gain compliance with FSMA regulations.

### **TECHNICAL ADVISORY SUBCOMMITTEE**

Ms. Areias stated TASC has been focused on identifying a framework for new/novel, or undefined feed ingredients that can be approved on a "provisional" level. TASC is proposing to use the AAFCO framework for the application process, but allowing the Feed program the freedom to expedite the application process. Additionally, TASC would be authorized to revoke a provisional approval, at the program's discretion. At the last TASC meeting, the committee accepted the current TASC Process Flow as developed by the program. Dr. Arana, TASC Chair, announced TASC has an application form for the approval of new, novel, and undefined feed ingredients. The process included three deadlines per year that coincide two months before the FIAB meeting since their approval and action is needed.

Ms. Areias requested a motion from the board to move forward on developing regulations for the provisional license.

Mr. Berczynski asked if the program or AAFCO will have final approval. Ms. Areias stated CDFA will provide a "provisional" approval, until AAFCO approves the ingredient. Dr. Arana commented that an AAFCO's provisional approval could take up to two years.

Mr. Davidson stated that regulations must include who can revoke the provisional license, and all provisional products must report "required reportable incident's" (i.e. animal death or feed safety issues) to FDA.

Mr. Chris Zanobini asked if CDFA gives provisional ingredient approval with no expiration date, what would be the purpose of the approval process through AAFCO. Ms. Areias stated AAFCO's Feed Recommendation Committee only meets bi-annually to make recommendations to their Board of Directors; it would not be fair to the California industry to wait that long.

Mr. Bell stated if statute changes are needed, CGFA can assist in order to create a thorough application process.

**MOTION:** Dr. Marit Arana moved to approve the program drafting regulations for review of new, novel, and undefined feed ingredients, per the TASC recommendation; Mr. Michael Koewler seconded. The motion passed with a 7 – 0 vote by all board members present.

Mr. Bell suggested TASC develop a risk matrix for feed ingredients used unilaterally by feed manufacturers in order to assist individuals in complying with FSMA. Ms. Areias stated TASC is in the process of identifying ingredients and prioritizing whether it presents a risk or not.

Discussion ensued regarding the approval of TASC's plan.

### **CAL RECYCLE REGULATIONS UPDATE**

Dr. Ba reported CDFA is engaged with Cal Recycle about rendering, moving plant residue in quarantined areas, land application, and feed ingredient issues. Definitions that impact food/feed programs include the agricultural by-product material that was amended to include fruit, nuts, cotton, vegetables, stems, leaves, seed, nut hull, shells, etc. Cal Recycle's regulation Section 17855, 5H, states if an activity is part of a licensed animal food manufacturing or license rendering operation, firms are exempt from the regulation, if licensed with CDFA.

Discussion ensued regarding Cal Recycle's regulations.

Dr. Ba suggested the board allow a Cal Recycle speaker to be on the agenda for the next FIAB meeting; Mr. Koewler agreed stating it would be an educational process for the board. Chairman Walth agreed to have a speaker from Cal Recycle at the next FIAB meeting.

### **EXTRAVIEW DATABASE UPDATE**

Ms. Areias stated the branch is upgrading to a newer version of the Extraview Database. The program still uploads each individual lab report on every firm's homepage. Ms. Areias stated the Feed Licensing Desk staff, Mr. Timothy Valles volunteered to host a webinar based training for industry for licensing, lab reporting, and tonnage reporting. He stated that would be a valuable tool for industry.

### **TONNAGE REPORT UPDATE**

Dr. Ba presented the feed tonnage reporting information for FY 2015/2016. Reported tonnage for quarter one was 6,588,658, which brought the program \$790,639. Reported tonnage for quarter two was 5,202,850, which brought the program \$624,342. In the first month of the third quarter, reported tonnage was 1,342,517, which brought the program \$161,102. Based on FY 15/16 tonnage reporting, the tons sold and

revenue collected meet and exceed trends from FY 13/14. As of January 2016, a total of 13,134,025 tons were reported, which was \$1,576,083 in tonnage revenue.

### **FUND CONDITION REPORT**

Dr. Ba stated, from July 1, 2015 through January 31, 2016, total combined revenue for the Feed and SAFE programs was \$2,620,855; expenditures were \$1,783,251; encumbrances were \$114,700; the adjusted combined ending balance was \$2,578,377. As of January 31, 2016, the total ending balance for the Feed program was \$2,565,291, the ending balance for the SAFE program was \$127,786.

### **CAC LAB REPORT AND UPDATE**

Ms. Elaine Wong stated that because of the Monensin samples and analyses, rush samples were higher than usual. The lab received 1,000 samples, and the average assays per sample was 4.47. The lab met the 21-day turnaround goal for 93 percent of samples.

Ms. Wong stated at the previous FIAB meeting, the board approved the purchase of a Liquid Chromatography Mass Spectrometry (LC-MS) machine. The lab received three quotes, which ranged from \$152,542 to \$162,173; the lab plans to move forward with the purchase.

Ms. Wong provided the board with an update regarding the lab portion of the AFRPS grant. Ms. Wong and the Quality Assurance Officer were required to attend a mandatory meeting with FDA in Louisville, Kentucky. The goal of the meeting was to assist labs in becoming ISO certified; the Center for Analytical Chemistry (CAC) is currently partially accredited. The discussion at the meeting was regarding microbiology; feed was not discussed. Because CAC is already ISO certified in the food section of the lab, they were identified as a mentor lab for West Virginia. CAC has started meeting with the lab in West Virginia regarding any issues on Standard Operating Procedures, tracking, and other components of the lab to assist them in becoming ISO certified.

The Feed program and CAC plan to add a new line item to the program's budget for CAC purchases of lab equipment. Chairman Walth stated the program will amend FY 16/17 budget to add in the new line item. Mr. Jensen encouraged the board to formally approve the revised budget at the next FIAB meeting.

### **AGENDA ITEMS FOR FUTURE MEETINGS**

Chairman Walth asked the board for agenda items for the next meeting. The budget amendment and the Cal Recycle speaker will be added to the agenda for the next FIAB meeting.

**NEXT MEETING**

Chairman Walth recommended the next meeting be coordinated in conjunction with the Cal Recycle speaker. The next meeting will be in June 2016. The board members will be polled to select a date.

**MOTION:** Mr. Michael Koewler moved to adjourn the meeting; Dr. Arana seconded. The motion passed with a 7 – 0 vote.

The meeting was adjourned at 3:31 p.m. by Chairman Walth.

Respectfully Submitted By



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

3/09/2016  
Date

## FEED INSPECTION ADVISORY BOARD

### FINANCIAL SUMMARY

Feed, Livestock Drugs and Safe Animal Feed Education Program

### FUND CONDITION REPORT

As of May 31, 2016

	FY 2015/16		COMBINED TOTAL
	FEED	SAFE	
<b>Beginning Balance as of 7/1/2015:</b>			
CDFA Account	\$1,139,909	\$58,789	\$1,198,698
Bank of America Account	\$656,775	-	\$656,775
<b>Total Funds</b>	<b>\$1,796,684</b>	<b>\$58,789</b>	<b>\$1,855,473</b>
<hr/>			
<b>Revenue*</b>	\$3,858,205	\$199,063	\$4,057,268
<b>Expenditures and Encumbrances</b>			
Expenditures**	\$2,594,776	\$197,321	\$2,792,097
Encumbrances	\$190,515	\$795	\$191,310
<hr/>			
<b>Ending Balance as of 5/31/16:</b>			
CDFA Account	\$1,509,415	\$60,531	\$1,569,946
Bank of America Account	\$1,550,698	-	\$1,550,698
Total Funds	\$3,060,113	\$60,531	\$3,120,644
<b>Adjusted Balance***</b>	<b>\$2,869,598</b>	<b>\$59,736</b>	<b>\$2,929,334</b>

**NOTE:**

\* Revenue includes feed tonnage tax, feed and livestock drugs licensing, restricted livestock drugs registration, and interest accrued in the CDFA Fund Account and Bank of America Corporate Account.

\*\* Expenditure total per CDFA Financial Services Budget Report May 31, 2016. Amount does not reflect outstanding lag expenditures.

\*\*\* Adjusted balance accounts for all program encumbrances through May 31, 2016

## Feed Tonnage Breakdown by Fiscal Year

	FY 2013/14			FY 2014/15			FY 2015/16		
	\$0.09/\$0.12			\$0.12			0.12		
	Tonnage Revenue	Rate	Tons	Tonnage Revenue	Rate	Tons	Tonnage Revenue	Rate	Tons
<b>JULY</b>	\$ 93,355	\$ 0.09	1,037,278	\$ 392,978	\$ 0.12	3,274,817	\$ 445,185	\$ 0.12	3,709,875
<b>AUGUST</b>	\$ 327,040	\$ 0.09	3,633,778	\$ 179,407	\$ 0.12	1,495,058	\$ 313,879	\$ 0.12	2,615,658
<b>SEPTEMBER</b>	\$ 4,320	\$ 0.09	48,000	\$ 10,039	\$ 0.12	83,658	\$ 31,575	\$ 0.12	263,125
<b>Q1 Subtotal</b>	<b>\$ 424,715</b>		<b>4,719,056</b>	<b>\$ 582,424</b>		<b>4,853,533</b>	<b>\$ 790,639</b>		<b>6,588,658</b>
<b>OCTOBER</b>	\$ 157,627	\$ 0.12	1,313,558	\$ 359,090	\$ 0.12	2,992,417	\$ 306,709	\$ 0.12	2,555,908
<b>NOVEMBER</b>	\$ 390,114	\$ 0.12	3,250,950	\$ 400,770	\$ 0.12	3,339,750	\$ 274,819	\$ 0.12	2,290,158
<b>DECEMBER</b>	\$ 99,805	\$ 0.12	831,708	\$ 11,953	\$ 0.12	99,608	\$ 42,814	\$ 0.12	356,783
<b>Q2 Subtotal</b>	<b>\$ 647,546</b>		<b>5,396,217</b>	<b>\$ 771,813</b>		<b>6,431,775</b>	<b>\$ 624,342</b>		<b>5,202,850</b>
<b>JANUARY</b>	\$ 229,783	\$ 0.12	1,914,858	\$ 53,145	\$ 0.12	442,875	\$ 161,102	\$ 0.12	1,342,517
<b>FEBRUARY</b>	\$ 341,594	\$ 0.12	2,846,617	\$ 639,986	\$ 0.12	5,333,217	\$ 395,161	\$ 0.12	3,293,005
<b>MARCH</b>	\$ 94,262	\$ 0.12	785,517	\$ 6,537	\$ 0.12	54,475	\$ 113,302	\$ 0.12	944,185
<b>Q3 Subtotal</b>	<b>\$ 665,639</b>		<b>5,546,992</b>	<b>\$ 699,668</b>		<b>5,830,567</b>	<b>\$ 669,565</b>		<b>5,579,707</b>
<b>APRIL</b>	\$ 274,167	\$ 0.12	2,284,725	\$ 299,498	\$ 0.12	2,495,817	\$ 275,491	\$ 0.12	2,295,760
<b>MAY</b>	\$ 226,984	\$ 0.12	1,891,533	\$ 315,577	\$ 0.12	2,629,808	\$ 377,812	\$ 0.12	3,148,430
<b>JUNE</b>	\$ 34,731	\$ 0.12	289,425	\$ 4,737	\$ 0.12	39,475		\$ 0.12	0
<b>Q4 Subtotal</b>	<b>\$ 535,882</b>		<b>4,465,683</b>	<b>\$ 619,812</b>		<b>5,165,100</b>	<b>\$ 653,303</b>		<b>5,444,190</b>
<b>TOTAL</b>	<b>\$ 2,273,782</b>		<b>20,127,947</b>	<b>\$ 2,673,717</b>		<b>22,280,975</b>	<b>\$ 2,737,849</b>		<b>22,815,405</b>

# Feed and Livestock Drugs Inspection Program

Jenna Areias  
Program Supervisor IV

## Fund Condition

Agenda Item 4a

		FY 2015/16		
		FEED	SAFE	COMBINED TOTAL
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# TONNAGE REPORTING BREAKDOWN BY FISCAL YEAR

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# Feed and Livestock Drugs Program Updates

Jenna Areias  
Program Supervisor IV

## Announcements

New Agricultural Technician II (Seasonal)

❖ Josh Davila, South San Joaquin valley



## Feed Inspection Program Overview

- ❖ Animal Feed Regulatory Program Standards Update
- ❖ Livestock Drugs / SB 27 Update

## Enforcement and Field Activities April 1, 2016 to current

1. Case with the Attorney General regarding a Commercial Feed License.
2. Case with Merced County regarding a repeat drug residue in edible tissue violator
3. Adulterated eggs from Nicarbazin
4. Adulterated chick starter with high levels of salt
5. Severely damaged cottonseed sent to be composted
6. Damaged milo from an ethanol plant fire
7. Feed complaint involving swine - results pertaining to feed were inconclusive.

## Feed Inspection Program Contract Update

- ▶ Federal Contract work by the numbers:
  - ❖ Tissue Residue - 75
  - ❖ BSE - 48
  - ❖ Out Of Business -10
  - ❖ CGMP Inspections - 4
- ▶ Mid year planning meeting with FDA completed
- ▶ Tissue residue refresher training course

## Livestock Drugs Program Update

▶ Approved/provisional	1092
▶ Pending Review	2
▶ Data Revisions	96
▶ Expired	64
▶ Pending pay	1
▶ New	3
▶ Discontinued this period	117
▶ Total	1258

- ▶ New Livestock Drug Laws and a complete set of regulations for the Livestock Drug Program.
- ▶ Changing the livestock drug law to impose a civil penalty for a repeat violative tissue residue within a twelve month period.

## SB27 (Unnamed Program) Update

- Possible program name: Antimicrobial Use and Stewardship Services Program (AUSS)
- Held two meetings regarding AUSS program
- Drafting duty statements, Announcements, HR prep work
- July 1, 2016 hiring goal
- ▶ Functional Components - Separate focus efforts but leverage and inform each other (Inspection Services, Animal Health, and Industry):
  1. Monitoring (2016)
  2. Stewardship (2016)
  3. Regulatory Compliance (effective 2018 but outreach begins 2017)

# Animal Feed Regulatory Program Standards Update

Samantha Moran  
*FFLD Inspector*  
*Feed Program*

## Feed Inspection Program - Planning

- ❖ Adopt the FSMA GMP regulations into the CA Commercial Feed Regulations as we did with the medicated feed cGMPs.
- ❖ Adopt the AAFCO required guarantees for formula feed for specific species and class of livestock. Required poultry feed guarantees, required horse feed guarantees etc.
- ❖ Develop regulations for defining new feed ingredients on a provisional basis while waiting for US FDA formal approval or GRAS status.
- ❖ Develop regulations that the CA Commercial Feed Program recognizes the AAFCO Official Publication feed ingredient definitions.

# SAFE Program Updates

Cathryn McCandless  
*Research Analyst II*

## SAFE Program

- ❖ FSMA Seminar March 10, 2016 - discussion
- ❖ CDFA SAFE/FEED program staff will be going through Lead Auditor and Train the Trainer training through the FSPCA Alliance
- ❖ FSMA readiness meetings with all top priority firms
  - Meeting packets include
    - ✓ Outreach materials: state and federal
    - ✓ Historical firm data: PVI and GMP inspection results, sample results
    - ✓ FSMA checklists developed by SAFE & Feed Programs

# US FDA Updates

Jessica Darnielle  
*FDA State Liaison*

# Cal Recycle Regulation Updates

Robert Holmes  
*Manager, Training & Assistance Section*  
*Cal Recycle*



## OVERVIEW OF NEW AND EXISTING COMPOSTING RULES

FEED INSPECTION ADVISORY BOARD –  
JULY 13, 2016

ROBERT HOLMES  
MANAGER, TRAINING & ASSISTANCE SECTION



## Topics

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- General Applicability
- Exclusions
- Material Types
- Storage/Stockpiling
- Land Application
- In-Vessel Digestion

## General Applicability

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- Implement provisions of the California Integrated Waste Management Act (commencing with section 40000 of the Public Resources Code)
- As defined in PRC 40116, “Composting” means the controlled or uncontrolled decomposition of organic wastes
- As defined in 14 CCR 17852(a)(11), “Compostable Material” means accumulated organic material that will become “Active Compost” (generating temperature of 122° F)

## General Applicability

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## General Applicability

5



## Exclusions

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- 14 CCR 17855(a):
  - (1) Handling agricultural material derived from an agricultural site; returning a similar amount to same site or site owned or leased by the owner, parent, or subsidiary.
  - (5)
    - ✖ (E) Operation used to temporarily store agricultural material not used in the production of compost or mulch
    - ✖ (G) Operation used to chip and grind agricultural material from lands owned or leased by the owner, parent, or subsidiary for use in biomass conversion
    - ✖ (H) A licensed animal food manufacturing operation or a licensed rendering operation

## Material Types

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- **Agricultural Material**

- Waste material of plant or animal origin, which results directly from the conduct of
  - agriculture, animal husbandry, horticulture, aquaculture, silviculture, vermiculture, and similar activitiesundertaken for the production of food or fiber for human or animal consumption or use
- Includes manures, orchard and vineyard prunings, grape pomace, and crop residues
- Except for grape pomace or material generated during nut or grain hulling, shelling, and processing, has not been processed:
  - except at the point of generation
  - in a way that alters its essential character

## Material Types

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- **Food Material**

- Waste material of plant or animal origin that results from the preparation or processing of food for animal or human consumption

# Material Types

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- **Vegetative Food Material**

- Plant-based food material with no added salts, preservatives, fats, oils, or adulterants and contains ≤ 1% physical contaminants

## Compostable Materials Tier Chart

Excluded Tier	Enforcement Agency Notification Tier	Registration Permit Tier	Full Solid Waste Facility Permit
	Agricultural Material Composting Operations <i>(all)</i> §17856		Composting Facilities <i>(all)</i> <i>(e.g. biosolids, digestate, food material, mixed materials)</i> §17854
Small-scale Composting <i>(≤ 100 yd<sup>3</sup> and 750 ft<sup>3</sup>)</i> §17857 1(a)(4)	Green Material Composting Operations <i>(≤ 12,500 yd<sup>3</sup>)</i> §17857 1(a)		Green Material Composting Facilities <i>(&gt; 12,500 yd<sup>3</sup>)</i> §17857.2
<i>(Refer to §17855 for complete list of exclusions)</i>	Biosolids Composting Operations at POTWs <i>(all)</i> §17859.1	Vegetative Food Material Composting Facilities <i>(≤ 12,500 yd<sup>3</sup>)</i> §17857.2	Vegetative Food Material Composting Facilities <i>(&gt; 12,500 yd<sup>3</sup>)</i> §17857.2
	Research Composting Operations §17862		
	Chipping and Grinding Operations <i>(≤ 200 tpd)</i> §17862.1(a)	Chipping and Grinding Facilities <i>(&gt; 200 tpd and ≤ 500 tpd)</i> §17862.1(b)	Chipping and Grinding Facilities <i>(&gt; 500 tpd)</i> §17862.1

## Storage and Stockpiling

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- Disposal means:

- Storing or stockpiling more than 200 cubic yards of compostable material for more than 30 days,

except

- Storing or stockpiling more than 200 cubic yards of agricultural material, green material, or compost for more than 12 months on land zoned for agricultural uses (enforcement agency can longer storage time if appropriate)

## Land Application

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Disposal of compostable materials does not include Land Application

## Land Application

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- Land application means the final deposition of compostable material and/or digestate spread on land. The material must meet limits on:
  - Effective **January 1, 2016:**
    - ✦ Maximum metal concentrations and pathogen density
    - ✦ Application frequency and depth
  - Effective **January 1, 2018:**
    - ✦ Physical contaminants



## Land Application

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### • Frequency and Depth limits

ZONING	FREQUENCY	DEPTH	ALTERNATIVES	
			<i>With EA Approval in Consultation With</i>	
			RWQCB	CDFA*
Land <b>NOT</b> zoned only for agricultural uses	≤ 1 per 12-month period	≤ 12 inches accumulated on surface	X	
Land zoned only for agricultural uses	≤ 3 per 12-month period	≤ 12 inches accumulated on surface	X	X

\* CalRecycle coordinates EA requests for consultation

## Land Application

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Verification of compliance with the requirements must be provided to the EA upon request



## Exceptions

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- Compost (produced in compliance with regulations)
- Gardening or landscaping on a parcel of land 5 acres or less
- Federal, State, or local government entity land application
- Beneficial reuse at landfill
- Beneficial reuse of biosolids per Federal and State requirements
- **Agricultural by-product material** as authorized by SWRCB or RWQCB

## Exceptions

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- **Agricultural by-product material** includes, but is not limited to,
  - solid or semi-solid materials from fruit, nut, cotton, and vegetable processing facilities such as stems, leaves, seeds, nut hulls and shells, peels, and off-grade, over-ripe, or under-ripe produce

## In-Vessel Digestion

## In-Vessel Digestion Tier Chart

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Excluded Tier	Enforcement Agency Notification Tier	Registration Permit Tier	Full Solid Waste Facility Permit
Anaerobically digestible materials at POTWs	Research In-Vessel Digestion Operations	Medium Volume In-Vessel Digestion Facilities <i>[average between 15 tpd, not to exceed 700 tpd]</i>	Large Volume In-Vessel Digestion Facilities <i>[average &gt; 100 tpd, average &gt; 700 tpd]</i>
Ag material derived from ag site & returned to same site	Dairy In-Vessel Digestion Operations		
In-vessel digestion at a dairy	Distribution Center In-Vessel Digestion Operations		
In-vessel digestion activities with less than 100 cubic yard on-site capacity	Limited Volume In-Vessel Digestion Operations <i>[average &lt; 15 tpd, not to exceed 105 tpd]</i>		
Handling activities already subject to more stringent handling requirements under Federal or State law			



## Contacts



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- LEA/CalRecycle
  - Local Enforcement Agencies:  
<http://www.calrecycle.ca.gov/LEA/Directory/default.asp>
  - CalRecycle - Permitting and LEA Support, Single Point of Contact:  
<http://www.calrecycle.ca.gov/LEA/CountyAssign.asp>
- Water Boards
  - Locate your Regional Water Board Contacts:  
[http://www.waterboards.ca.gov/water\\_issues/programs/land\\_disposal/general\\_info.shtml](http://www.waterboards.ca.gov/water_issues/programs/land_disposal/general_info.shtml)
  - Regional Water Board Office Locations:  
[www.waterboards.ca.gov/about\\_us/contact\\_us/rwqcb\\_directory.shtml](http://www.waterboards.ca.gov/about_us/contact_us/rwqcb_directory.shtml)
  - Regional Water Board Enforcement Coordinators:  
[http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/docs/coordinators.pdf](http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/coordinators.pdf)

# Questions?

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**Center for Analytical Chemistry  
Feed Laboratory  
Report for January - May 2016**

**Feed Samples**

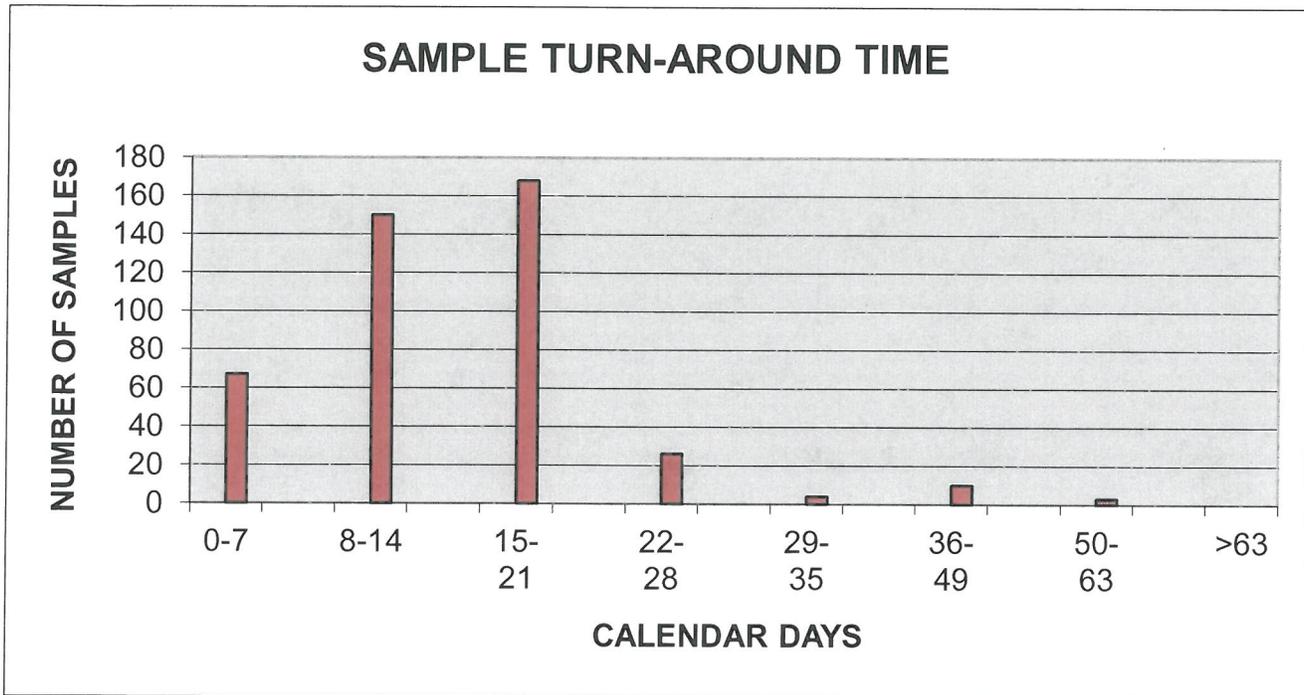
<b>Total Number of Samples Received</b>	<b>431</b>
<b>Routine Samples</b>	<b>309</b>
<b>Priority Samples</b>	<b>9</b>
<b>Partial Rush Samples</b>	<b>20</b>
<b>Rush Samples</b>	<b>93</b>
<b>Total Number of Samples Completed</b>	<b>428</b>
<b>Total Number of Assays Requested</b>	<b>2,013</b>
<b>Routine Assays</b>	<b>1,441</b>
<b>Rush Assays</b>	<b>572</b>
<b>Average Number of Requested Assays per Sample</b>	<b>4.70</b>

## Turn-Around Time for Feed Samples January - May 2016

### Summary

Total Samples Received - 431

Total Samples Completed - 428



Calendar Days	# of Samples	% of Total	Cumulative Total
0-7	67	15.7%	
8-14	150	35.0%	50.7%
15-21	168	39.3%	90.0%
22-28	26	6.1%	96.1%
29-35	4	0.9%	97.0%
36-49	10	2.3%	99.3%
50-63	3	0.7%	100.0%
<u>&gt;63</u>	<u>0</u>	<u>0.0%</u>	100.0%
<b>Total</b>	<b>428</b>	<b>100.0%</b>	

**FEED LABORATORY  
JANUARY - MAY 2016**

Agenda Item 8c

No.	Feed	Method	Routine		Rush		Totals
			Assay 1	Assay 2	Assay 1	Assay 2	
1	Protein	Combustion	227	67	27	18	339
2	ECP	Kjeldahl	5	0	1	0	6
3	Fat - Crude	Ether Extraction	124	1	26	3	154
4	Fat - Crude	Acid Hydrolysis	15	7	0	0	22
5	Fat-Insoluble	Wet Chemistry	3	3	0	0	6
6	Fat-Unsaponifiable	Wet Chemistry	2	2	0	0	4
7	Fiber - Acid Detergent	Ankom	0	0	2	2	4
8	Fiber - Crude	Ankom	138	134	44	42	358
9	Ash	Furnace	58	2	8	3	71
10	Moisture	Oven/Vacuum Oven	138	7	61	0	206
11	Brix	Wet Chemistry	1	0	0	0	1
12	Free Fatty Acids	Wet Chemistry	12	2	13	3	30
13	Total Fatty Acids	Wet Chemistry	1	1	0	0	2
14	Lactose	Wet Chemistry	3	0	0	0	3
15	Total Sugars as Invert	Wet Chemistry	10	2	1	0	13
<b>Microscopy</b>							
16	Damage	Microscope	14	0	15	0	29
17	Foreign Material	Microscope	0	0	0	0	0
18	Ingredients	Microscope	2	0	3	0	5
19	Prohibited Materials	Microscope	0	0	0	0	0
<b>Mycotoxins</b>							
20	Aflatoxin B1	LC	0	0	52	0	52
21	Aflatoxin B2	LC	0	0	52	0	52
22	Aflatoxin G1	LC	0	0	52	0	52
23	Aflatoxin G2	LC	0	0	52	0	52
24	Deoxynivalenol (DON)	LC/MS	3	3	14	14	34
25	Diacetoxyscirpenol (DAS)	LC/MS	3	3	12	12	30
26	Fumonisin B1	LC/MS	7	3	16	3	29
27	H-T2 Toxin	LC/MS	3	3	14	14	34
28	Nivalenol (NIV)	LC/MS	3	3	12	12	30
29	Ochratoxin A	LC/MS	3	3	14	14	34
30	T2 Toxin	LC/MS	3	3	14	14	34
31	Zearalenone	LC/MS	3	3	14	14	34
<b>Pesticides/Toxins</b>							
32	Ergot	LC/MS	0	0	5	0	5
33	Gossypol - Free	Wet Chemistry	1	0	0	0	1
34	Methoprene	LC/MS	0	0	1	0	1
35	Pesticide Screen	LC/GC	3	0	0	0	3
<b>Additives</b>							
36	Amprolium	LC/MS	2	0	1	1	4
37	Bacitracin	LC/MS	0	0	0	0	0
38	Chlortetracycline	LC/MS	15	0	7	1	23
39	Clopidol	LC/MS	3	0	0	0	3
40	Decoquinatate	LC/MS	18	12	0	0	30
41	Laidlomycin	LC/MS	0	0	0	0	0
42	Lasalocid	LC/MS	18	17	0	0	35
43	Lincomycin	LC/MS	0	0	0	0	0
44	Lysine	LC	11	1	0	0	12

**FEED LABORATORY  
JANUARY - MAY 2016**

Agenda Item 8c

No.	Feed	Method	Routine		Rush		Totals
			Assay 1	Assay 2	Assay 1	Assay 2	
45	Methionine	LC	10	0	0	0	10
46	Monensin	LC/MS	56	45	9	9	119
47	Narasin	LC/MS	0	0	0	0	0
48	Neomycin	LC/MS	0	0	0	0	0
49	Nicarbazin	LC/MS	1	0	0	0	1
50	Oxytetracycline	LC/MS	0	0	0	0	0
51	Poloxalene	LC/MS	1	0	0	0	1
52	Salinomycin	LC/MS	0	0	0	0	0
53	Sulfamethazine	LC/MS	0	0	0	0	0
54	Virginiamycin	LC/MS	0	0	0	0	0
55	Vitamin A	LC/MS	20	6	2	0	28
56	Vitamin E	LC/MS	4	2	2	0	8
	<b>Minerals</b>						
57	Arsenic	AA	1	0	0	0	1
58	Cadmium	AA	1	0	0	0	1
59	Calcium	ICP	136	3	5	5	149
60	Chloride	Wet Chemistry	4	0	1	1	6
61	Chromium	ICP	0	0	0	0	0
62	Cobalt	ICP	0	0	0	0	0
63	Copper	ICP	70	3	3	3	79
64	Iron	ICP	2	0	0	0	2
65	Lead	AA	1	0	0	0	1
66	Magnesium	ICP	25	0	0	0	25
67	Manganese	ICP	15	0	0	0	15
68	Mercury	AA	0	0	0	0	0
69	Molybdenum	ICP	0	0	0	0	0
70	Nitrate	Ion Electrode	0	0	0	0	0
71	pH	pH Electrode	2	0	4	0	6
72	Phosphorus	Wet Chemistry	75	0	4	4	83
73	Potassium	AA	3	0	0	0	3
74	Selenium	ICP	41	26	1	1	69
75	Sodium	ICP	73	4	7	7	91
76	Sulfur - Total	Combustion	1	0	0	0	1
77	Zinc	ICP	47	1	1	1	50
			Routine		Rush		Total
	Assays		Assay 1	Rerun	Assay 1	Rerun	
	Total		1441	372	572	201	2586