

FEED ♦ FERTILIZER ♦ MILK ♦ SEED ♦ SEED TESTING ♦ SOIL TESTING

WILBUR FRYE RETIRES

Dr. Wilbur Frye, Director of Regulatory Services, retired Oct. 31, 2000. Wilbur had a distinguished career in service to Kentucky Agriculture. A native of Tennessee, he obtained his B. S. and M. S. degrees from the University of Tennessee. He taught at Tennessee Tech for three years, then went to Virginia Tech to complete his Ph.D. in Soil Science. He then returned to Tennessee Tech as a professor.



In 1974, Wilbur came to the Department of Agronomy at the University of Kentucky where he achieved the rank of full professor. Wilbur was a prolific researcher, having published numerous scientific articles and directed or co-directed fifteen graduate students. As an educator, he touched the lives of many of his students. While serving as a member of the

Agronomy faculty, he received the coveted Master Teacher Award from the Gamma Sigma Delta agricultural honor society and the Great Teacher Award from the University of Kentucky Alumni Association.

In 1992, he became Director of Regulatory Services. His administrative approach has fostered a spirit of cooperation between Regulatory Services and the feed, seed, fertilizer, and dairy industries. He has always referred to everyone involved in Kentucky agriculture as our “customers”. This has led to the continued statewide agricultural support for each of the Division’s programs.

The Division honored Wilbur with a retirement party on October 2, 2000. Wilbur and his wife, Martha, plan to remain in Kentucky and reside near Richmond. We in Regulatory Services are grateful to Wilbur for his service and leadership and wish him a long and fulfilling retirement.

Eli Miller - Director

NEW DIRECTOR APPOINTED

ELI MILLER NEW DIRECTOR

On October 1, 2000, Dr. Eli Miller assumed responsibilities as Director of Regulatory Services. He succeeds Dr. Wilbur Frye who recently retired. Eli is a Kentucky native from Breckinridge County and is a graduate of the Department of Agriculture at Western Kentucky University. He later earned an M. S. and a Ph.D. in ruminant nutrition at the University of Kentucky.



Eli has served as Coordinator of the Feed Program at Regulatory Services from 1973 until his appointment as Director. As Coordinator of the Feed Program, he has been nationally recognized for his innovations and leadership among state and national regulatory officials and has developed excellent relationships with industry representatives.

Eli is looking forward to the challenges of his new position. As Director, he is supportive of achieving the goals of each program at Regulatory Services and is committed to serving the needs of Kentucky agriculture.

Chris Thompson – Editor

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FEED

STEVE TRAYLOR JOINS DIVISION AS COORDINATOR OF FEED PROGRAM

Steve Traylor became the Feed Program Coordinator on December 7, 2000. Steve recently completed his Ph.D. in Swine Nutrition at the University of Kentucky. His B. S. and M. S.



degrees are in Feed Manufacturing Science from Kansas State. His training in nutrition and feed production will be valuable to the feed industry. Steve, his wife Mary Ann, and his new son Keith Leon will be residing in Lexington. We welcome Steve to the Division and look forward to his leadership and contributions to the Feed program.

Eli Miller - Director

KENTUCKY FEED AND GRAIN ASSOCIATION ANNUAL MEETING

The Kentucky Feed and Grain Association will hold its annual meeting February 22 - 24 at the Executive Inn in Owensboro. Dr. Scott Smith, newly appointed Dean of the UK College of Agriculture, will address the convention. Other presentations scheduled during the meeting include:

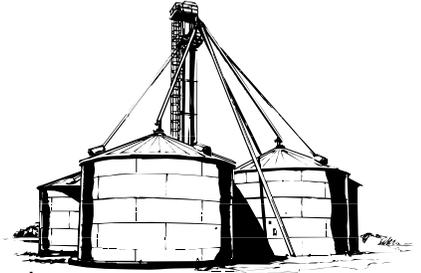
- ◆ Jerry Weigel, Exceed Genetics, "The Bottom Line" on Genetically Modified Grain

- ◆ Dr. Craig Wood, UK Ag. Communications, Discussion on E-Commerce
- ◆ Jeff Nalley, WBKR Farm Director, "The State of our State's Agriculture".

For additional information contact Buena Bond, Secretary-Treasurer of KFGA at (859) 254-0294.

Eli Miller - Director

FEED QUALITY ASSURANCE WORKSHOP



The National Grain and Feed Association and the Kentucky Feed and Grain Association will present a Feed Quality Assurance workshop June 19-21. The workshop will be held at the Galt House Suites in Louisville, KY. The workshop features national experts to discuss topics on feed quality assurance, GMP compliance, purchasing and receiving grains and ingredients, milling process control, finished feed inspection and labeling, feed shipment and delivery, investigating customer complaints, recalls and BSE rules. This program is designed for mill operators, managers, ingredient buyers, and delivery and safety personnel from all size feed mills. The central location is expected to draw participants from Kentucky and surrounding states.

For more information, contact the National Grain and Feed Association or your home state's feed and grain association.

Eli Miller - Director

INSPECTION

2000 INSPECTION PROGRAM ACTIVITIES

Regulatory Services makes regular inspections of commercial feed, fertilizer and seeds offered for sale in Kentucky to achieve compliance with the consumer protection laws the Division administers. Samples of feed, fertilizer and seed are obtained on a regular basis with only seasonal limitations. A team of nine inspectors inspects and samples at distributors of agricultural products, and one inspector travels throughout the state and samples

specialty products in urban areas. Inspectors monitor manufacturing plants, processing facilities, storage warehouses, and retail stores; collect official samples of feed, pet food, fertilizer and seed; prepare feed labels for small firms; check feed formulas for accuracy; and offer assistance to clientele to improve their operations and to be in compliance with the laws.

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(INSPECTION continued from page 2)

FERTILIZER INSPECTION PROGRAM

Inspectors made 1825 visits to fertilizer distributors and collected 3,485 official samples for laboratory analysis. Over one-half of these samples were bulk custom mixes. Samples of fertilizer materials were taken at 60 firms for Size Guide Number (SGN) determinations to inform the dealers if materials were of compatible particle size for mixing. The fertilizer program received 30% of the total inspection time in the calendar year 2000.

FEED INSPECTION PROGRAM - Inspectors conducted 2,110 inspections of feed manufacturers and dealers of commercial feed. Official samples were taken of 4,402 lots of feed to determine label accuracy by laboratory analysis. Custom mix samples accounted for 225 of the total feed samples. Stop Sales were issued on 22 feed products. Good Manufacturing Practices (GMP) inspections were conducted at 19 Kentucky feed mills under the FDA-State contract to ensure the safe and effective use of medications in animal feed. Less restrictive GMP inspections were performed on 48 smaller feed mills which mix medications with less stringent requirements. Also, 38 non-medicated mills were inspected for compliance with the Kentucky

Commercial Feed Law. Bovine Spongiform Encephalopathy (BSE) inspections, for use of prohibited animal by-products, were performed in conjunction with the FDA inspections, and 27 BSE inspections were performed under the Kentucky Commercial Feed Law. Feed labels and formulas were reviewed at 23 of the smaller mills. Feed program activities accounted for 45% of the total inspection time in 2000.

SEED INSPECTION PROGRAM - Inspectors made 1960 official visits to seed processors, distributors and dealers in 2000 and collected 2,934 official samples to verify label accuracy by laboratory analysis. Records review inspections were performed at three seed processors. During the course of the routine inspections, 180 Stop Sales on seed lots were issued by the inspection staff. Most of these Stop Sales were for out of test date lots of seeds. The seed program received 25% of the inspectors' time in 2000.

Fred Herald, Coordinator - Inspection Program

SEED

SEED REGISTRATIONS AND PERMITS

The Kentucky Seed Law requires different categories of permits and registrations depending on a firm's type of business. Permit and registration applications have been mailed for 2001. These are issued on an annual basis and require renewal each year. Applications are sent to all permitted seedsmen and registrants from the previous year. A review of what is required of a firm may be helpful to clarify what the law stipulates.

The Kentucky Seed Law provides for two different permits to label seed. These permits are based on the type of seed being labeled. One is for agricultural seed and agricultural seed mixtures. The second permit is for vegetable seed, flower seed and combination seed, mulch and fertilizer products. Both allow the permit holder to print their own seed labels. The information printed on the seed labels must comply with the labeling provisions of the Kentucky Seed Law. Both permits



require an annual fee of \$25. The agricultural seed permit also requires that permit holders report their distribution and pay an inspection fee based on the number of units distributed in weight and seed kind categories each quarter.

Quarterly reports for agricultural seed permit holders are mailed before the end of each quarter. A permit holder has 45 days after the end of each quarter to file the report and submit the proper fee for their distribution. Reports received after that time period are assessed a late penalty. The vegetable seed, flower seed and combination seed, mulch and fertilizer permit does not require a quarterly report to be filed.

The Kentucky Seed Law requires registrations from all firms that are retail seed dealers or non-certified seed conditioners. A retail seed dealer is defined as any dealer that distributes seed in container sizes of 40 pounds or larger. A non-certified seed conditioner is any firm that processes seed.

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(SEED continued from page 3)

Processing includes cleaning or mixing of seed. Any public offer to distribute seed requires a dealer registration if the container size is 40 pounds or more.

Many firms in Kentucky are required to hold a combination of permits and registrations. A firm that cleans seed, prints its own tags and sells that seed at retail from the same location is required to register as a seed dealer, a non-certified seed conditioner, and obtain a permit to label seed. A \$25 fee is required for each of these applications if each operation is occurring at a separate location. However, in the example above, only one \$25 fee is required because all of these operations are occurring at one location. All applications are required to be filed, but only one \$25 fee applies. The only firms that have to pay more than one \$25

fee are those that are required to hold both permits. Firms having more than one location operating under the same name but at different locations are required to register each location as a dealer.

In order to simplify the registration process, firms have been mailed only the applications which they held the previous year. Each of these mailings has a letter of explanation detailing the registration process and specifying the fee required for the applications. These applications should be completed as soon as possible and returned to Regulatory Services. If there are questions regarding this process, please contact our office at (859) 257-7363.

David Buckingham, Coordinator - Seed Regulatory Program

MILK

MILK PROGRAM'S NEW LAW IN EFFECT AS OF JANUARY 1, 2001.

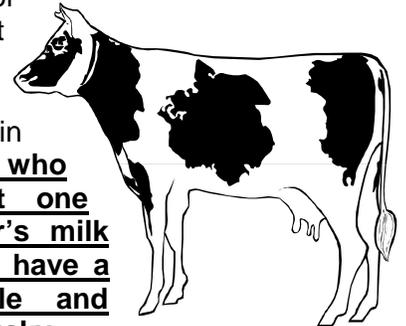
In forthcoming issues of Regulatory Services News, certain portions of the newly implemented Kentucky Farm Milk Handlers Law will be highlighted. In this issue we will focus on the regulation of "milk importers". The law defines a "milk importer" as any person who delivers milk from producers outside Kentucky to processors within Kentucky. Basically, "milk importers" are out-of-state haulers who deliver milk from out-of-state farms to Kentucky processors.

In the past, the milk program only monitored haulers who sampled and weighed Kentucky producer's milk. Therefore, this change is very significant for the program. The major difference between the requirements of a Kentucky hauler and an out-of-state hauler is the licensing requirements. Regulatory Services will recognize the out-of-state hauler's home state milk hauling permit or license if they do not pick-up any Kentucky producer's milk.

Out-of-state haulers who are affected by the new law will be subject to periodic inspections and will have to meet most of the same guidelines required by licensed Kentucky sampler-weighers. These inspection results will be reported in the same manner as routine Kentucky hauler inspections. When possible, the "weighted average milk fat comparisons" will be reported to the out-of-state hauler, hauling company, milk handler(s),

processor and the state agency who issued the hauler's permit.

The changes in the milk program relating to the inspection of out-of-state haulers will not affect the program's activities with in-state haulers. As in the past, **all haulers who pick up at least one Kentucky producer's milk will be required to have a license to sample and weigh milk in Kentucky.**



NEW LICENSE APPLICATIONS

With the implementation of the new Kentucky Farm Milk Handlers Law, all license applications have been revised. Please discard any license applications you have on file, as these "old" applications will be invalid. Additionally, the fee schedule for temporary and renewal licenses for sampler-weighers and testers has been changed to \$15. New applications have been widely distributed throughout Kentucky's dairy industry. License applications can also be obtained by contacting the milk program at (859) 257-2785.

Chris Thompson, Coordinator - Milk Program

ASFFPCO SUMMER MEETING

The Association of Southern Feed, Fertilizer, and Pesticide Control Officials has a membership of regulatory agencies located in fourteen southern states. The meeting's program and seminars are designed for regulatory officials, industry leaders, chemists, and inspectors. Members and representatives of the region's agricultural industry are encouraged to attend.

For more information on the meeting, contact Bob Beine at the Division of Regulatory Services, (859) 257-2785, or e-mail rbeine@ca.uky.edu.

Bob Beine, Chair - Local Arrangements 2001

SOIL TESTING

SOIL TESTING PROGRAM UPDATE

A new computer program is near completion for receiving soil test data and fertilizer recommendations from the Soil Testing Laboratory. The program receives data via email and prints reports to be sent to clients who submitted soil for testing. The program is designed for UK county extension offices and other offices to receive, store, manage, or print soil test data. The reports from the new program are in an improved format



compared to the older soil test reports. The program is currently being tested in 12 counties which include Webster, Union, Lyon, Warren, Fayette, Lincoln, Garrard, Breckinridge, Woodford, Jessamine, Russell, and Montgomery counties. Availability of the program to all offices is anticipated to occur this summer. Any questions regarding the new program can be directed to Frank Sikora at (859) 257-2785. fsikora@ca.uky.edu

Frank Sikora, Coordinator - Soil Testing Program

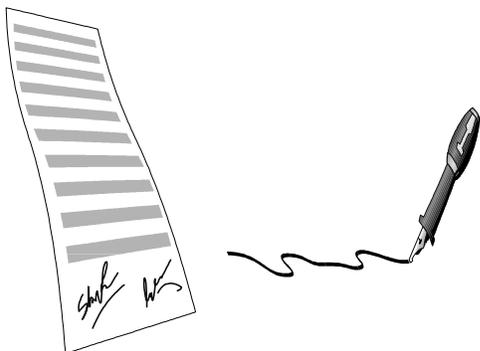
FERTILIZER PROGRAM

MAXIMUM CHLORINE REGULATION

Effective for Bag and Bulk Fertilizer for 2001 Season

Introduction

The Division of Regulatory Services promulgated a new regulation in April 2000 that changed the way maximum chlorine in tobacco fertilizers must be guaranteed. This new regulation is now in effect for both bulk **and** bag tobacco fertilizers for the 2001 season.



New Requirements (Bag and Bulk)

The requirements of the regulation are summarized below. An unofficial copy may be obtained by calling D. L. Terry at 859/257-2668 or via e-mail at: dterry@ca.uky.edu.

1. All fertilizers sold for or represented for field crop tobacco shall state a maximum chlorine guarantee as follows:

Chlorine(Cl) Maximum. 50 lb./acre

2. This guarantee shall be prominently and conspicuously displayed on the bag label and on the bulk label (invoice or shipping document for bulk sales).

3. The label shall also state the rate of application expressed in pounds of the tobacco fertilizer per acre. For example:

Rate of application- 1000 lb/acre.

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(FERTILIZER continued from page 5)
Explanation and Examples

1. This regulation applies to both **bulk** and **bag** tobacco fertilizers.

2. The guarantee for maximum chlorine must be stated in terms of **pounds of chlorine(Cl) applied per acre** not to exceed 50 pounds of chlorine per acre. An application of 100 pounds of muriate of potash (0-0-60) per acre will result in about 50 pounds of chlorine per acre; therefore, **no more than 100 pounds of muriate of potash will be allowed per acre.**

The Maximum Chlorine guarantee and the application rate for bag fertilizers should be placed immediately below the Guaranteed Analysis statement.

3. This will allow more muriate of potash to be added to a mix **if** the mix is to be applied so that no more than 50 pounds of chlorine are applied per acre.

Examples

1. Custom Mix A:

<u>materials</u>	<u>amount</u>
DAP 18-46-00.....	2180 lbs
UREA 46-00-00.....	240 lbs
MP 00-00-60.....	500 lbs
SP 00-00-50.....	2405 lbs
Total.....	5325 lbs
<u>Chlorine (Cl) Maximum</u>	<u>50 lbs/acre</u>

Rate of application: 1065 pounds per acre

Note: This is a traditional 1-2-3- ratio tobacco fertilizer applied at 1065 lbs per acre. This batch will be applied to 5 acres so it meets the maximum Cl guarantee.

2. Custom Mix B:

<u>materials</u>	<u>amount</u>
DAP 18-46-00.....	435 lbs
UREA 46-00-00.....	47 lbs
MP 00-00-60.....	200 lbs
SP 00-00-50.....	360 lbs
Pell. Lime 00-00-00.....	958 lbs
Total.....	2000 lbs
<u>Chlorine (Cl) Maximum</u>	<u>50 lbs/acre</u>

Rate of application: 1000 pounds per acre

Note: This is a one ton batch for application to 2 acres. Still, only 100 pounds of muriate of potash will be applied per acre and no more than 50 pounds of chlorine per acre.

3. Registered Grade: 9-18-27:

Guaranteed Analysis

Total Nitrogen(N)	9%
Avail. Phosphate(P ₂ O ₅)	18%
Soluble Potash(K ₂ O)	27%
<u>Chlorine (Cl) Maximum</u>	<u>50 lbs/acre</u>
<u>Rate of application: 1100 lbs/acre</u>	

Note: At 1100 pounds per acre this 9-18-27 could have up to 4.5% Cl and not exceed the 50 pounds of chlorine per acre guarantee.

STANDARD APPLICATION RATES FOR REGISTERED TOBACCO GRADES
(This is primarily bagged tobacco fertilizers)

The following table is to be used in determining what application rate to place on the label of your registered tobacco fertilizer grades.

Table of Standard Application Rates for Registered Tobacco Fertilizer Grades

Grade	Standard Application Rate, lb/A*	Maximum Chlorine Allowed in Fertilizer, %**
5-10-15	2000	2.5%
6-12-18	1700	2.9%
8-10-15	2000	2.5%
9-18-27	1100	4.5%
10-10-15	2000	2.5%
10-10-20	1500	3.3%
10-15-25	1200	4.1%
15-15-15	2000	2.5%
*Application rate is based on 300 lb K₂O per acre		
** Note: The Max. Chlorine percentages are NOT to be placed on the bag but are guides for formulation.		

Note: For grades not listed the rate is determined using the 300 lb/A K₂O standard. For example, for an 8-12-17 the maximum rate would be 1800 lb/A (300/ .17=1765 or 1800) the rate may be rounded to the nearest 100 lbs.

These rates have been reviewed by Dr. Bob Pearce, Tobacco Specialist, and have his concurrence.

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(FERTILIZER continued from page 6)

The labeling should be similar to the following (I have used 10-15-25 as an example).

10-15-25
For Tobacco

GUARANTEED ANALYSIS

Total Nitrogen (N).....	10%
Available Phosphate (P ₂ O ₅).....	15%
Soluble Potash (K ₂ O).....	25%
Chlorine (Cl), Maximum.....	50 lb/A
Apply not more than.....	1200 lb/A

Notes:

1. The words, "For Tobacco", must be on the label to designate its use.
2. The maximum chlorine guarantee is the same for ALL grades.
3. The application rate will vary with the grade.
4. You must register each tobacco grade with the 'new' label for the year 2001.
5. I have agreed to allow any 'old' 5-10-15 bags to be used without a charge.

You Must Register Each Tobacco Grade You Plan to Sell for the 2001 Season and Each Label Must Show the Maximum Chlorine Guarantee and the Standard Application Rate.

Please contact D. L. Terry immediately if you have any questions or need assistance in designing your label.

PUBLICATIONS OF FERTILIZER PROGRAM

The following publications are available on our website:

<http://www.rs.uky.edu/fertreg.html>

Regulatory Bulletin No. 282

Annual Report Analysis of Official Fertilizer Samples

July 1999 - June 2000

Tonnage Reports-Latest and some back issues

Registration/Licensing Forms (Both farm and specialty)

Tonnage Report Forms- All of our Fertilizer Tonnage Report Forms (Monthly, Quarterly, and Semi-annual).

Law and Regulations (including the amended maximum chlorine regulation)

There is a 'Current Event' link that keeps you up to date on what is going on in our regulatory program.

Please send us your email address and we will send you further updates about our program. Send it to: dterry@ca.uky.edu

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D. L. Terry, Coordinator – Fertilizer Program

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