

Regulatory Services News

Vol. 49, No. 4

Feed – Fertilizer – Milk – Seed – Seed Testing – Soil Testing

Winter 2005

Message from the Director

In 2005 the Division developed its Strategic Plan for carrying out the four state laws that it administers and the soil and seed service testing programs. One of the goals identified in the plan was to Attract, Develop, and Retain Outstanding Staff. A key indicator to show our commitment in fulfilling this goal was to annually hold a departmental meeting that includes participation by the Princeton lab and Inspection staff to provide updates/reports regarding various segments of the Division. The annual meeting is an opportunity to emphasize goals and objectives for the Division and to provide an avenue for personal and professional development.

On October 24, the Division held the first Professional Development Day at the E.S. Good Barn. The theme of the day was “Team- together everyone accomplishes more”. The program for the day was primarily focused on the Strategic Plan for the Division. Guest speakers were also invited to provide us with other timely information relative to the university and state and national issues.

Cindy Finneseth served as Program Moderator and had the challenge of keeping the speakers on schedule. She did a great job and we concluded the day on schedule. Our first speaker was Dr. Nancy Cox, Associate Dean for Research and Assistant Director of the Experiment Station. She spoke on the UK and AG College Strategic Planning Initiatives. The next topic was Mission, Vision, Who We Are discussed by Eli Miller. This was followed by Dave Terry’s review of Goal I: Reach for National Prominence. Steve Traylor followed with a discussion of Goal II: Support Educational Opportunities for Kentuckians. Chris Thompson then reviewed Goal III: Attract, Develop, and Retain Outstanding Staff. From the personnel changes noted in this issue of Regulatory News, we didn’t develop this goal any too soon. Paul Wilson, UK Staff Senator,

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Division Professional Development Day

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and James Bartos, AG College Staff Representative, are both employees of the Division and they provided us with an update of staff activities at the university and college levels.

Following a break, Cindy introduced the Division's Goal V: Nurture Diversity of Thought, Culture, Gender, and Ethnicity. A training program followed this on diversity presented by Lionel Williamson, Assistant Dean for Diversity in the College, and Terry Allen, Associate Vice-President for Employment Equity at UK. Mel Bryant then discussed Goal IV: Discover, Share, and Apply New Knowledge.

Following lunch, Joe Cain, Director for National Affairs & Political Education with the Kentucky Farm Bureau, spoke about Initiatives at the

National and State Level. Frank Sikora then discussed Goal VI: Elevate the Quality of Life for Kentuckians. Dave Terry then served as a breakout group facilitator. All participants were divided into three discussion groups. David Harover, David Mason and Paula Howe served as group leaders. The groups had about 40 minutes to discuss the goals assigned to them. Each group presented their ideas to the entire group. These ideas were collected and will be reviewed in more detail as we continue to implement the Strategic Plan. Eli Miller concluded with a summary of the Professional Development Day. A Diversity Committee and a Staff Liaison Committee will be formed as a result of the strategic plan discussions and more staff participation is sought for other committees.

*Eli Miller
Director*

Fertilizer Bulk Blend Workshops

A joint venture of The Division of Regulatory Services, Agri-Business Association of KY (ABAK), The Fertilizer Institute (TFI), and the Association of American Plant Food Control Officials (AAPFCO) resulted in two successful fertilizer bulk blend workshops. They were held on Tuesday, August 30, 2005 in Lexington and Wednesday August 31, 2005 in Hopkinsville. The Lexington session had 32 registered students and the one in Hopkinsville had 25.

Topics covered included soil testing and agronomics of fertilizer use, compatibility of raw materials in blending, how to label and formulate blends, good housekeeping techniques, and environmental issues of concern. There were a total of 26 companies represented among the 58 attendees. The students rated the session excellent overall with some constructive suggestions for improvement for future sessions.

*David Terry
Fertilizer Regulatory Program*



Kentucky Milk Quality Barn Meetings

*Attention
milk haulers
and
field representatives!*

Be sure to inform dairy producers about the upcoming Kentucky Milk Quality Barn Meetings organized by the Kentucky Dairy Development Council (KDDC). Approximately 15 meetings will be held on host farms across Kentucky from January through April 2006. Topics will focus on reducing mastitis, increasing milk production and how producers can improve milk prices by obtaining quality premiums. The meeting dates and locations will be published soon.

*Chris Thompson
Milk Regulatory Program*

Seed Permits, Registrations and Quarterly Reports

The renewal applications for seed labeling permits and registrations will be mailed to permitted seedsmen and registrants during the middle of December. The process of filing permit and registrations is an annual process for the seed program. Applications will be mailed to the address of record of all that have a 2005 seed permit or registration.

The Kentucky Seed Law specifies two kinds of permits to label seed. A permit to label seed allows the holder of the permit to print their own seed analysis tags in lieu of purchasing official tags and filling in the required information. A permit to label agricultural seed and agricultural seed mixtures is issued to persons that label agricultural seeds. The second permit is for those that label vegetable seed, flower seed and combination seed, mulch and fertilizer products. The information printed on the analysis tags must comply with the labeling provisions of the Kentucky Seed Law. These provisions can be reviewed by accessing the information on our website at www.rs.uky.edu.

Both permits to label require an annual application and a \$25.00 fee. The agricultural seed permit also requires filing a quarterly report and payment of an inspection fee based on the number of units sold in each of several different weight and seed kind categories. The vegetable seed, flower seed and seed mulch fertilizer permit does not have a quarterly reporting requirement.

Quarterly reporting forms are mailed to each permit holder prior to the end of each quarter. The Permit holder has 45 days after the end of the quarter to file their applications and pay their fees. After that period of time, a penalty of \$25 or 10% of the balance, whichever is the greatest is assessed. A seed quarterly report is required to be filed by every agricultural seed permit holder, even if there was not any distribution. If no distribution has occurred during the quarter, the report should be "zeroed" and filed.

The Kentucky Seed Law requires registrations from all firms that are seed dealers or non-certified seed conditioners. A seed dealer is defined as any firm or individual that sells seed in containers that weigh 40 lbs or more. A non-certified seed conditioner is any firm that processes seed that is not certified. Processing includes cleaning or mixing of seed. Any public offer to sell requires the individual to have a seed dealer registration if the container size is 40 lbs or more. Each registration requires a fee of \$25 if a location files only one registration. Multiple registrations from a single location often require only one \$25 fee.

Many firms in Kentucky are required to file more than one application. A location may have a seed cleaner, label the seed they process and also sell that seed from the same location. This location would be required to file two registrations (Non-certified seed conditioner and seed dealer) and one permit application. Firms that are required to file multiple applications only pay one \$25 fee if there is only one permit required. If the location I have described were involved in labeling agricultural seed and vegetable seed, then two permits would be required in addition to the two registrations. The total fee due for this location would be \$50 because each permit does require a \$25 fee.

Firms will be mailed only the applications that were held previously by their location. The applications will be mailed to the address that was on the previous permit or registration. A memo will be sent with the applications for each location and the amount due for the applications will be stated in the memo. The applications will be different colors to help avoid confusion as the format of each of the

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Permits, Registration and Quarterly Reports

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applications is similar. Please fill out these applications and return them to our office in a timely manner. The suggested date for return of the applications is January 15, 2006.

If you have any questions with regard to the permit-registration process, please contact our office at 859-257-7363 or you can e-mail my office at dbucking@uky.edu. If your business has changes and you require additional applications other than those that have been mailed to your location, please call and request those.

*David Buckingham
Seed Regulatory Program*

KSIA Winter Meeting

The Kentucky Seed Improvement Winter Meeting is tentatively scheduled for Wednesday, January 25, 2006 at the Four Points Sheraton in Lexington.

For more information about KSIA or the winter meeting, contact:

Kenny E. Perry
KSIA Secretary/Manager
Cell: (859) 351-5325
West KY Office/Fax: (270) 534-8407

2006 AAFCO OFFICIAL PUBLICATION

The Official Publication of the Association of American Feed Control Officials (AAFCO) is an essential reference manual for many individuals involved in the feed and pet food industry. This manual contains up-to-date information on the following:

- Model law and regulations for commercial feed, pet food, and ingredients.
- State, FDA and Canadian feed control contacts with address, e-mail, telephone and fax number.
- Approved feed ingredients and their definitions.
- Regulatory requirements for distributing feed products in each state.
- Medicated feed labeling guide.
- Analytical methods reference and analytical variations.
- AAFCO committees and industry advisors.
- Proceedings of the most recent AAFCO annual meeting.
- Canine and feline nutrient profiles and labeling guide.

The 2005 Official Publication is available to non-AAFCO members in the U.S. and Canada as well as international locations. Pricing and ordering information are available from:

Sharon Krebs
Asst. Secretary-Treasurer
P.O. Box 478
Oxford, IN 47971
Phone (765) 385-1029
Fax (765) 385-1032
E-mail: sharon@aafco.org

Visit the AAFCO website (www.aafco.org) for the order form and other information.

*Steve Traylor
Feed Regulatory Program*

Fertilizer Registration/License Renewals for 2006

The annual renewal process for fertilizer registrations and licenses will begin just before Thanksgiving. All registrations and licenses expire December 31, 2005. You will receive a list of your current registrations and licenses and your task will be to determine whether you will renew with no changes, renew with corrections or renew with deletions. A full explanation will accompany your notice. If you register a product or license a facility between the time we send out the notices and December 31st those will NOT be in your renewal so be aware of this when you return your material.

*David Terry
Fertilizer Regulatory Program*

UK IRM Beef Free-Choice Mineral Recommendations Updated

Drs. Roy Burris and John Johns, UK Extension Beef Specialists, are in the final stages of issuing their mineral recommendations for the University of Kentucky Integrated Resource Management (IRM). The packet will include three formula recommendations; a basic cow-calf, a pre and early lactation high magnesium formula to use when conditions for grass tetany exist, and a Monensin containing formula for stocker cattle. Additional information on the IRM program can be found at the following website <http://www.uky.edu/Projects/BeefIRM/>

Drs. Burris and Johns started with the NRC Beef Cattle Nutrient Requirements 2000 Update to establish dry matter intake and needs of the various mineral elements. They then established a fescue mineral composition based on several years of Kentucky research from trials at Princeton, Lexington and Eden Shale. Knowing that minerals are digestible and that cattle cannot utilize all that they consume, they used availability factors based on NRC and the text by McDowell covering mineral needs and utilization by livestock. Based on this information, they established a usable intake of minerals and compared this level to the animals need for the respective element. The difference, if any, was supplied in a three ounce intake of mineral. In some cases, based on their experience, levels were increased or a percentage of chelated forms of the mineral were suggested to assist in overcoming potential antagonisms.

The packet of information being sent to the county extension offices also includes example labels for each of the recommended mineral products. To the astute reviewer of the labels they should note that several changes to the labeling guidelines have been implemented. For example, the product purpose statement for the UK Beef IRM High Magnesium Mineral reads "A Free Choice Mineral for Beef Cattle on Pasture Where Conditions for Grass Tetany Exist." In the past, this office has not approved labeling for mineral products that made a reference or claim for grass tetany use. The suggested wording was carefully crafted so that it does incorporate the terms prevent or treat in the product purpose statement. The labeling guidelines used in the past did not allow for the wording prevent or treat to be used in conjunction with free-choice mineral products labels and the current guidelines did not change the interpretation or use of such terminology. Secondly, it is important to note that the high magnesium product provides supplemental magnesium at 17 grams per head per day when cattle consume 4 ounces of the mineral product while grazing forages typically found in Kentucky.

The complete packet of information should be available on the Division's web site. If you have any questions or comments, please feel free to contact me at 859-257-6528.

*Steve Traylor
Feed Regulatory Program*

Regulatory Services Personnel Update

New Regulatory Specialist Green River Area



Warren Pinkston joined the Division of Regulatory Services as a full time Inspector in the Green River Area of western Kentucky in September, 2005.

Warren will be conducting feed, fertilizer, and seed inspections within Caldwell, Crittenden, Daviess, Hancock, Henderson, Hopkins, Ohio, McLean, Union, and Webster Counties.

Warren has B.S. and M.S. degrees in Agriculture from the University of Kentucky, Biotechnology and Plant and Soil Science departments. He also attended McLean County High School and recently moved back to the Owensboro area after a 10 year absence to attend college and start his professional career.

*Steve McMurry
Inspection Program*

Feed Program Staff Changes

Tracy Burden, Feed Registration Specialist, has accepted a position as the Sheep Research Coordinator at the University of Kentucky's Woodford County Farm. Tracy has spent the last two years in the Division reviewing feed and pet food labels for compliance with labeling requirements, reviewing product registrations and inspecting facilities. Previously, he worked as an inspector in the specialty market arena.



Technical Staff Milk Testing Laboratory

Mickey Dean joined the milk laboratory in August as a Senior Lab Technician. Mickey has over six years of laboratory experience from her previous positions. She transferred to the milk lab from Regulatory Services' feed and fertilizer laboratory section. Her responsibilities in the milk lab include performing a wide variety of milk tests



and assisting with certain feed test procedures. Mickey is a Daviess county native and she brings a wide range of experiences to the milk lab that includes quality control as well as FDA compliance responsibilities.

*Chris Thompson
Milk Regulatory Program*

Analytical Staff Soil Testing Laboratory

The Soil Laboratory in Lexington has hired Diane Hunter to fill a Laboratory Technician position. Diane comes to the Division with good education and experience in soil testing. She received an Associate Degree at the Lexington Community College in 1999 and a B.S. degree in soil science at New Mexico State University in 2004. While obtaining her degree in soil science she worked as a technician in the soil testing laboratory at the university. She also has experience working for a private laboratory at EnviroData group for two years prior and a year after her stay in New Mexico. Diane has already acquired considerable praise on her abilities from her supervisor and coworkers.

*Frank Sikora
Soil Testing Program*

Feed and Fertilizer Laboratory

Kristin Brock started with Regulatory Services in the Feed and Fertilizer Lab in November as a Senior Lab Technician. She was born and raised in Dayton, OH and graduated from the University of Kentucky in 1999 with Bachelors of Science degree in Biology. She has worked in the environmental science field for over 5 years.

*Melton Bryant
Feed and Fertilizer Testing Program*

Fertilizer Office Staff Promotion

Kenna Johnson, who has been with the Fertilizer Regulatory Program for five years, has taken a promotion and is moving to the UK Medical Center to work with medical students. We will miss her but wish her well in her new position. We ask for your patience as we bring in a new person.

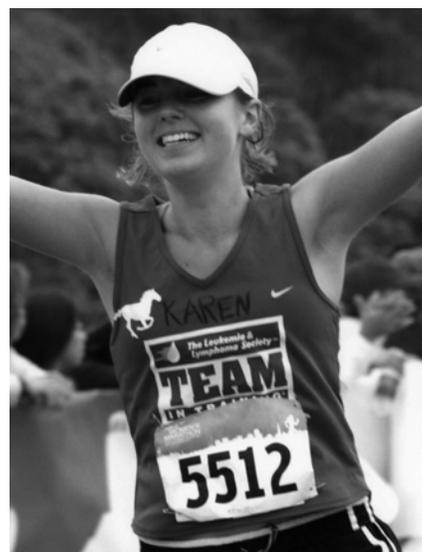
*David Terry
Fertilizer Regulatory Program*

Seed Program Staff Member Completes Marathon

Karen Nichol, Staff Assistant for the Seed Regulatory and Testing Programs completed her first marathon in October. She raised over \$3800 for the Leukemia and Lymphoma Society. She dedicated her accomplishment by running in memory or honor of many Kentuckians touched by blood cancers, including Bob Hatton, former Milk Program Coordinator in the Division of Regulatory Services.

She finished the 26.2 mile marathon in just over six hours and returned to work smiling two days later.

*Cindy Finneseth
Seed Testing Program*



2005 Seed School: Selling and Buying Seed of Native Plant Species in Kentucky

In October, the Seed Program held the 2005 Seed School: Selling and Buying Seed of Native Plant Species in Kentucky. The seminar was held in Bowling Green and was sponsored by the UK College of Agriculture's Barnhart Fund for Excellence. The audience was a diverse group from Certified Crop Advisors to seed company representatives.

The morning program focused on provisions of the Kentucky Seed Law and how to be certain a company is in compliance with the proper registration and permits to legally sell seed in the state. The afternoon focused on considerations for purchasing seed, primarily dormancy considerations, uses of native species and necessary information for quality management decisions. Speakers included David Buckingham, Seed Regulatory Coordinator; Cindy Finneseth, Seed Testing Coordinator; Kenny Perry, KSIA Secretary/Manager; Bob Geneve, Professor of Horticulture; and Randy and John Seymour, owners and operators of Roundstone Native Seed.

*Cindy Finneseth
Seed Testing Coordinator*

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