

# Regulatory Services News

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Feed - Fertilizer - Milk - Seed - Seed Testing - Soil

Spring-2012

## Director's Digest

Food safety is one of the most prevalent concerns of the public. Everyone wants their food products to be as safe as possible. Our Division will become more involved in food safety as the new programs from the Food Safety Modernization Act (FSMA) take shape. This federal legislation is designed to support feed safety as well as food safety, and places major emphasis on how they will co-exist. We would expect that feed and food manufacturers will hear more details of this legislation in the next few months. We are already aware of an increasing role our inspectors and laboratories will have in monitoring feed safety. We already place a major emphasis on animal feed quality, particularly freedom from contaminants, and the knowledge that many feeds are consumed by animals that provide meat and eggs for human consumption. In short, when we protect animals we help protect people.

Recently, the Division has had several employee changes. We welcome Robert Counts, Jr., as auditor, Philip Dickson to our sample preparation area of the feed and fertilizer lab, and Kristen Green to handle label reviews and registration for the feed and fertilizer programs. They are all well qualified for the important contributions they will make. We wish Emily Jean Hicks, the administrative support for our seed program, and Carol Filbin, an account clerk, the very best in their new endeavors. We are moving to fill these last two positions quickly as we know that the spring season is upon us.

With this edition of *Regulatory Services News*, we welcome a new composer and editor. Bart Young, one of our field inspectors serving the central Kentucky and Louisville areas has agreed to take on this important communication task for the Division. We thank Bart for stepping up to this role.

Bill Thom  
Director

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## **Mission of the Milk Regulatory Program**

The mission of the Milk Regulatory Program is to ensure raw farm milk produced and marketed in Kentucky is bought and sold using accurate weights and tests. The program's primary function is to monitor milk handling systems from the time a producer's milk is sampled and weighed, through delivery and laboratory testing, until producer's payments are calculated. The program provides support to the producers and processors of Kentucky's dairy industry. Industry participants are trained, licensed, and subsequently monitored to maintain compliance with the law. In addition to regulatory function one of the major objectives of the milk program is to operate and maintain a highly trained and skilled laboratory. The laboratory administers a monthly check sample program to monitor payment labs and other labs. The Laboratory analyses numerous hauler samples to help monitor milk haulers.

As a Kentucky producer and/or processor who sells and buys milk in Kentucky, the laboratory will analyze samples for various tests for no fee. Fees paid to The Regulatory Services Milk Program entitle them to these services. The lab is capable of analyzing for the following tests:

Component testing- butterfat, protein, lactose, solids

Somatic cell testing

Antibiotic testing

Bacteria testing

Freezing point (added water)- Cryoscope

We try to limit testing to bulk tank samples only. We normally do not do individual cow samples. We also will try to analyze for other tests needed by producer or processors if we have the capabilities.

Remember we are here to be a help and a partner for Kentucky dairy families and Kentucky processors. If you would like to inquire about our services please feel free to call our office.

Robert Kiser

## COMMERCIAL FERTILIZER VALUES FOR 2012.

Commercial fertilizer values are determined and published each year. A state-wide survey was conducted in December 2011 to determine the averages for 2012. Under the provisions of Chapter 250.401 of the Kentucky Fertilizer Law, the following unit values are announced for use in determining and assessing penalties of deficient fertilizer. They represent the average of responses from throughout the state for retail value of bulk mixed fertilizers. The value of most nutrients has increased since the survey conducted last December, the current values are listed below.

NUTRIENT	DOLLARS/UNIT (20 LBS.)
Total Nitrogen (N)	\$13.45
Avail. Phosphate (P <sub>2</sub> O <sub>5</sub> )	\$11.16
Soluble Potash (K <sub>2</sub> O)	
*Tobacco (low Cl)	\$14.82
*Non-Tobacco	\$10.76
Calcium (Ca)	\$7.79
Magnesium (Mg)	\$27.32
Sulfur (S)	\$8.54
Boron (B)	\$106.00
Copper (Cu)	\$43.71
Iron (Fe)	\$16.22
Manganese (Mn)	\$40.71
Molybdenum (Mo)	\$20.20
Zinc (Zn)	\$43.47

### Calculation Note:

(1) The N value for DAP & MAP was assigned from anhydrous ammonia (AA).

(2) The value of P from DAP and MAP was calculated using the assigned value of N from AA.

(3) The final values for N and P are weighted averages based on FY 11 (distributed) tonnage for ammonium nitrate, Urea, DAP, TSP, MAP, and ammonium sulfate.

If you have any questions, please call me at (859) 257-2785; or, email: [smcmurry@uky.edu](mailto:smcmurry@uky.edu)

### Electronic Delivery Regulatory Services News

To reduce printing, paper and postage costs, Regulatory Services News is available for electronic delivery to your email address.

To receive the quarterly newsletter in electronic format, please visit the Division's website at [www.rs.uky.edu](http://www.rs.uky.edu), navigate to the Newsletter page and submit your contact information.

Newsletter editions dating to 2001 are available online.

## Inspector News Update- Jim True: Inspector Program Coordinator

This has been a busy yet important year for the inspection staff to be able to attend some beneficial training to assist with performing their duties as feed, seed, and fertilizer inspectors. It requires an ongoing effort for the inspection staff to be knowledgeable and skilled for their assignments as regulatory systems are updated and improved. In June, six inspectors from the Division of Regulatory Services attended the annual meeting of the Association of Southern Feed, Fertilizer, and Pesticide Control Officials in Little Rock, Arkansas.

Richard Sellers, Vice President of the American Feed Industry Association gave an update on the Food Safety Modernization Act that is currently being developed by Congress and will be used by FDA and State Regulatory Agencies. This new bill will put more emphasis on how FDA will be conducting feed mill inspections and one of the goals is to have FDA and the states across the country to have a similar format to use during feed mill inspections. To go along with this bill the American Association of Feed Control Officials and FDA are developing the Animal Feed Regulatory Program Standards for inspectors to use when conducting feed mill inspections. This will be a list of 11 standards that will allow FDA and State inspectors to conduct similar inspections. These standards were presented to the group at the meeting by Jenny Murphy and Beverly Dent of FDA.

In July we had our annual inspector training meeting for the Division of Regulatory Services at Barren River State Park and spent 3 days on feed, seed, and fertilizer issues. During the summer meeting Steve McMurry, Fertilizer Coordinator discussed the current trends in fertilizer and gave updates on last year's sampling and set the goals for the next year. Chris Thompson, Seed Coordinator gave updates on some new technology changes that could be affecting bio-tech seed sampling. Bill Thom, Feed Coordinator presented information on the changes in the livestock industry and how the increased pet food industry is going to play a role in how we proceed going forward as inspectors in the years ahead. We had Diane McDaniel, Roy Stevens, and Virginia Connelly from FDA present information on the BSE/GMP Feed Mill Inspections that we conduct in Kentucky.

In September, Bart Young, Warren Pinkston, Mark Barrow and Jim True attended a BSE/GMP Feed Mill Inspection Seminar conducted by FDA in Raleigh, NC. This 4 day training spent one full day on BSE feed mill inspections and spent three days on Medicated Feed Mill Current Good Manufacturing Practices. This was the first opportunity that Bart and Jim had to attend this training, while Warren and Mark attended to get updated on the material that is used when conducting the BSE/GMP inspections for the feed mills in Kentucky. FDA had several staff present the material for this training.

Bart Young and Jim True attended the Basic Inspector Training Seminar in Raleigh, NC in September. This seminar for new inspectors covers all aspects of feed, seed, and fertilizer sampling and inspection methods for field inspectors and was sponsored by the American Association of Feed Control Officials, the American Association of Seed Control Officials, and the American Association of Plant Food Control Officials.

These training activities provide the inspectors valuable materials, knowledge, and skills that can be incorporated into their regular inspection and sampling duties while conducting feed, seed, and fertilizer regulatory activities and assignments.

## **Seed Labeling in Kentucky: Brands and Varieties**

### **The Importance of a Name**

The Kentucky Seed Law requires proper labeling for all seed sold in our state. The label provides a wide range of valuable information to inform purchasers about the quality and characteristics of seed. One of the most important items identified on the seed label is the variety statement. In Kentucky, with only a few exceptions, all seed kinds are required to be identified with a variety name unless the variety is not known. On the other hand, select seed kinds such as yellow soybean and any certified seed kind must specify a variety name.

If the variety is not known, the label must indicate “variety unknown.” “Variety not stated” (VNS) is not permissible in Kentucky. In states that allow the use of this expression, VNS might be used when the variety is indeed known, however, for some reason the labeler does not wish to disclose the variety name.

The Kentucky Seed Law specifies that a variety is a subdivision of a seed kind which is distinct, uniform, and stable. A variety description defines the characteristics of a variety and typically includes information relating to yield characteristics, days to maturity, disease resistance and a host of other attributes. This is the essential information that growers need when they make varietal selections to meet their specific requirements i.e. climate, cropping conditions, etc. Typically, the originator or discoverer of the variety will actually develop a variety’s name. Once a variety is named, that name will be used for the life of the variety (only a few rare exceptions allow for the renaming of a variety).

Brands are also commonly used on seed labels but brands should not be confused with varieties. Brands are often used for marketing purposes and occasionally, brand names from different companies may represent the exact same variety. Additionally, some company brand names may be comprised of different varieties. This certainly creates at least the potential for confusion among seed purchasers. So, while it is permissible in Kentucky to label seed with a brand name, it must always be accompanied with a variety statement. These items should be clearly distinguished to minimize confusion.

#### **For Seed Labelers:**

In Kentucky, variety labeling is regularly examined for accuracy. For seed labelers, a simple way to think about this topic is:

If you know the variety of the seed kind, specify it on the label;

If you don’t know the variety simply label it as variety unknown. And...

Even if you market seed with a brand name, always clearly specify the variety.

#### **For Seed Dealers:**

We recommend that Kentucky seed dealers examine seed tags for appropriate variety identification as new inventories are received.

Collectively, these efforts will go a long way to help ensure Kentucky seed purchasers have appropriate and accurate information for making seed purchases.

The seed "Kind" is required on all labels and refers to one or more related species known by a common name such as soybeans, wheat or tall fescue.

The seed "Variety" is also required on labels and refers to a subdivision of a "kind" which is distinct, uniform, stable and possesses certain characteristics.

The "Brand" name is optional. It typically identifies the company marketing the seed. The brand name may be on the label as long as it is not misleading or cannot be confused with a variety name.

**ABC 123 Brand**

**Kind: Soybean**

Pure seed: 98.00%  
Inert matter: 1.85%  
Crop seed: 0.10%  
Weed seed: 0.05%  
Noxious weed seeds per pound: none  
Seeds per pound: 3,000  
Net weight: 46.7 lbs.  
140,000 units/container  
Lot number: 101

**Variety: 8765**

Germination: 85%  
Hard Seed: 0%  
Origin: KY  
Test Date: Jan. 2011

A. Seed Merchant  
Anywhere, KY  
AMS 1234

Terry Prather  
Seed Regulatory Program

Regulatory Services News is published quarterly for the feed, fertilizer, milk and seed regulatory programs and the seed and soil service testing programs of the Division of Regulatory Services. It is provided free to persons interested in these programs. For subscriptions or address changes, contact our office at (859) 257-2785. You can also access Regulatory Services News on the Internet at <http://www.rs.uky.edu>.

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