

Regulatory Services News

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

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Director's Digest

Spring came so early this year. Crop producers' soil sampled their fields in January to get fertilizer recommendations from our soils laboratory leading to plenty of fertilizer movement in February and March. Then the race was on to get seed to farmers for planting in early April across Kentucky. Thus a new year is off with a bang. Our inspectors have been busy collecting plenty of fertilizer and seed samples. Lab personnel are working diligently to keep up. Quality of products available seems to be very good this year in all areas of feed, fertilizer and seed. And so the cycle repeats itself for our Division as we continue to evaluate product quality.

This past six years has been an inspiring and rewarding experience for me as Director of a dedicated professional staff. Also, I have met so many dedicated people across this state and across this country that successfully help our agricultural industry maintain high product quality for consumers and producers. After June 30 of this year, I will step down from this role. I will certainly miss working with the dedicated professionals in this Division, the agribusiness people across Kentucky, and my colleagues in other states. Working with federal agencies such as FDA and USDA has been particularly helpful in the important emphasis on feed safety and seed quality. It has been my privilege to work with Dean Scott Smith and Associate Dean Nancy Cox in leading these efforts. I have gained so much information over the years from faculty and staff at UK. In fact, it has been 33+ years of continued learning during my total time spent at the University of Kentucky.

The best to everyone. I trust our paths will cross again as time moves on.

Bill Thom

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Paula Howe 2012 Outstanding Extension Award

Paula Howe was granted the 2012 Outstanding Extension Associate Award by the Kentucky Association of State Extension Professionals (KASEP). The award is offered yearly to an individual who has excelled at implementing the educational mission of the Kentucky Cooperative Extension System. Paula Howe is supervisor of the soil test laboratory at the Princeton Research and Education Center. She began her career at the University of Kentucky as a part-time laboratory technician in the Princeton soils lab in 1982. In 1991, she took a position as a 4H agent in Trigg county for four years. She came back to the soils lab as an Extension Associate in 2005. In 2000, she was promoted to laboratory supervisor and has served in that role since. In 2001, she received her M.S. degree in Agriculture at Murray State University.

Paula's work has been exemplary. Words that describe her include hard-working, dedicated, customer-focused, honest, giving, and patient. Some highlights of her accomplishments include development of software used in county extension offices to print and organize soil test reports, upgrading laboratory instrumentation which increased efficiency, being one of the first labs in the U.S. to adopt a robotic instrument for soil pH, initiating a new test to evaluate soil nitrate for corn production, cooperating with researchers on various projects by conducting soil analyses, improving turn-around time which is often only one to two days after receiving samples. Paula is extremely helpful to county extension office staff by addressing questions on soil testing and changing crop information for soil test reports if needed.

Outside of work, Paula is very dedicated to her family and friends. With education being very important to her, she has helped her son and daughter finish their college degrees. Her daughter is a working mother and she has helped her with household duties so she can take classes to finish her education this May. Paula has a strong leadership role in her church. One such activity involves organizing an annual women's retreat.

Paula is not a supervisor that stays in her office as others perform the work. She is involved in all the tasks in the lab to ensure quality results are obtained in a timely manner. Paula's 30 year career at the University of Kentucky has been a great example of professionalism and dedicated service to Kentucky agriculture.

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, navigate to the Newsletter page and submit your contact information.

Newsletter editions dating to 2001 are available online.

Resolving Seed Stop Sales

It is not uncommon for seed labelers and dealers to be required, at least occasionally, to deal with seed stop sales. Successfully resolving a stop sale is not a complicated process, particularly if seed labelers and dealers effectively communicate with each other and later with the regulatory agency. Stop sales arrive from two sources. First, an inspector may present dealers with field issued stop sales on seed lots that exhibit apparent labeling violations. Common examples associated with field issued stop sales are expired seed test dates or some form of mislabeling. Secondly, administratively issued stop sales may be issued from our office. Most often, administrative stop sales result from an official sample being obtained at a dealer location and the subsequent laboratory analysis revealing the seed lot is not within applicable tolerances specified on the seed label.

When a field issued stop sale occurs, a copy of a stop sale will be provided to the dealer where the violation was observed. In the case of an administratively issued violation, a stop sale, seed laboratory report and cover letter will be provided to both the dealer and seed labeler. **In either case, it is the dealer's (location where the seed lot was observed and/or sampled) responsibility to ensure prompt resolution of the matter. Please note: because the dealer is in possession of the seed lot, typically a release request from someone other than the dealer will not be acted upon.** Most seed labelers are responsive to a dealer's needs associated with stop sale resolutions. Most often, a number of options are available for resolving stop sales including (but not limited to) relabeling the seed lot with accurate labeling or returning the seed lot to the labeler. Dealers and labelers are encouraged to cooperate to resolve these matters as soon as possible. Once a resolution strategy has been agreed upon, the dealer should request an official "release" for the stop sale. **For a quick resolution, complete the stop sale release request (located at the bottom of the stop sale form) and fax the form and any other required documentation, such as a copy of a revised seed label, to our office. Be sure to provide your contact information as well including your phone, fax and email.**

If the procedures outlined above are followed, most stop sale release requests can be handled very quickly. The key to quick stop sale resolutions is effective communication. If you have any question about stop sales, please feel free to contact our office.

Terry Prather
Interim Seed Coordinator

NOTICE OF VIOLATION AND STOP SALE				
Date issued:		Lab Number:		
		Inspection Number:		
Issued to:		Manufacturer/Processor:		
You are hereby notified NOT TO SELL, OFFER FOR SALE, REMOVE OR PERMIT REMOVAL FROM YOUR PREMISES, UNTIL RELEASED BY THIS DIVISION, the following item which has been found to be in violation of the Kentucky Seed Law.				
Product	Violation	No. Pkgs.	Size	Lot or Code
Questions concerning this Stop Sale or requests for release may be made by telephone, letter, or by submitting the lower portion of this form to the administrative office below.				
Seed Regulatory Coordinator		Division of Regulatory Services 103 Regulatory Services Building College of Agriculture University of Kentucky KY 40546-0275		
Phone: (609) 257-7363 Fax: (609) 257-7351				
(Cut on dotted line - return this section)				
Official Seed Sample:		Lab Number:		
		Inspection Number:		
I request release of this Stop Sale effective _____ for disposition by:				
(Date)				
(Check One)				
<input type="checkbox"/> Returned to Manufacturer / Processor; credit memo will be available.				
<input type="checkbox"/> Labeled according to laboratory findings; copy of revised label attached.				
<input type="checkbox"/> Other labeling discrepancies corrected; copy attached.				
<input type="checkbox"/> Other: _____				
_____ (Firm)		_____ (Signature)		
_____ (Address)		_____ (Official Use - Released)		_____ (Date)



The Division of Regulatory Services would like to introduce our new Registration Specialist. Kristen Green started on March 12 and will be reviewing labeling for the Division. She comes to us from Alltech, Inc in Nicholasville, KY. Before that she worked at the Kentucky Tobacco Research and Development Center here at the University of Kentucky. Kristen is originally from New York, but has lived in Lexington for most of her life and attended the University of Kentucky for both her undergraduate and graduate degrees. Kristen currently lives in Lexington with her husband Eric and two children, Vivian and Vincent .

In February 2012, Phil Dickson accepted the Senior Laboratory Technician position in the Preparation Lab of the Feed and Fertilizer Lab section. He changed assignments from Department website design support, which he had held since August 2008, to the preparation and receiving laboratory. Phil holds a B.S. in Biology and an M.S. in Toxicology from the University of Kentucky as well as a Bachelors of Business Analytics. Previous analytical chemistry work was primarily in occupational drug testing and clinical toxicology in several hospitals and private laboratories including Creighton University and the University of Miami. Phil is a native of Lexington and has lived in several other states. His work includes maintaining the laboratory and conducting the many tasks that are involved with Regulatory Samples that are analyzed by this lab. We welcome Phil to the Feed and Fertilizer Laboratory and look forward to his various contributions to the Departmental Programs in the future.



Melton Bryant
Feed and Fertilizer Laboratory



Robert Counts accepted the position of Accountant Principal (Auditor) and joined Regulatory Services on March 5, 2012. He is a native of Columbus, Ohio. After graduating with his B.S. degree in accounting from Franklin University, located in Columbus, Ohio, in 1989, he went to work for the F.W. Woolworth Company as a store manager in Portsmouth, Virginia. Soon that company announced it was closing and he returned to Columbus and worked as an accountant for CTL Engineering, Inc., a construction testing laboratory. After an eight year period there he went to work for H.R. Gray and Associates, Inc., a construction management company, as their billing manager. Over his thirteen year period with them he was promoted to their senior accounting position where he ran not only the billing

department but was the only accountant on staff.

In October 2011 Robert married his wife Elizabeth who is a resident of Shelbyville, Kentucky. After accepting his current position with Regulatory Services, he joined his wife and two step daughters in Shelbyville where they currently reside. He enjoys all sports (especially NFL football), gaming, and movies. Now he spends his time off by pursuing a Masters of Accountancy degree with a CPA emphasis at The Keller Graduate School of Management in Louisville. We welcome Robert to the Department and look forward to his contributions to the programs he will be supporting.

Requesting Certificates of Free Sale

When a Kentucky commercial feed or ingredient manufacturer would like to export a product, it is usually required that some type of Certificate of Free Sale must be obtained prior to shipping to another country. The Kentucky Department of Agriculture is the office that will issue a Certificate of Free Sale for exporting products. The Division of Regulatory Services will be involved as outlined below and will inspect facilities to determine that products manufactured in Kentucky comply with good manufacturing practices.

View “**Special Product Marketing Requests**” in Articles section of the Feed page for more details. (Shown on the next page)

An initial request should be addressed to the Division of Regulatory Services that includes the facility location and the products produced at that facility. The Division will determine if the products are currently registered. An inspection will be conducted at the Kentucky manufacturing facilities that produce the products. Products of a company that are produced at facilities not located in Kentucky will not be inspected by our Division, and thus will not be certified for a Certificate of Free Sale to the Kentucky Department of Agriculture. Once this process is completed and the inspection has been declared in Basic Compliance, a letter will be sent to the Kentucky Department of Agriculture indicating those products that are currently registered for sale and produced at a Kentucky facility comply with accepted general management practices for the State of Kentucky at the time of inspection. If you have questions, contact the Feed Program at the Division.

Dave Mason
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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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Division of Regulatory Services

POLICY

Handling Special Requests for Feed Products or Feed Manufacturing Facilities

March 6, 2012

This policy outlines the steps and procedures to be followed by the Division of Regulatory Services (Division) when a manufacturer of feed ingredients or complete feeds requests a special designation or some type of certification for products produced at facilities located within Kentucky. These products may be used by the feed manufacturer for intrastate, interstate or export commerce. The intention of this policy is to assure that feed products manufactured at Kentucky located facilities adhere to good manufacturing practices (GMP's). In order to cover all items for GMP's, the Division will conduct complete state GMP inspections of facilities requesting this more comprehensive coverage of products.

A letter of request is to be submitted by the feed manufacturer to the Feed Program at the Division. This request may be related to the following: a) the need for certifying feed products or the specific facility requests some type of certification for following GMP's; b) the need of a time period for registration of products or the specific facility; or c) the need to issue a certificate of free sale for products exported from a specific facility.

The Feed Program will request a list of registered feed products that are produced at a specific facility. If requests involve more than one facility of a manufacturer, a list of registered feed products manufactured at each facility must be provided.

When the list of products manufactured at a facility is received, the Feed Program will review the product list to assure all listed products are registered for distribution in Kentucky, and schedule and conduct a state GMP inspection at a specific facility.

The state GMP inspection will be conducted by two inspectors. The designated form will be completed and sent to the Feed Program. The completed inspection form will be reviewed by the Feed Program. There is no fee involved for conducting this inspection.

If the inspection is declared in basic compliance by the Feed Program, a letter will be sent to the manufacturer for the specific facility. The acceptable basic compliance letter from the Division will cover only the facility and the registered products listed as being produced at that facility as requested before the inspection occurred. Multiple copies of the letter on original letterhead may be requested by the manufacturing facility.

The letter issued by the Division will be for a specific time period but not to exceed three (3) years. A facility must have a new state GMP inspection when changing the time coverage or when there is a change in the guarantor of the feed products.

If the inspection is declared to not be in basic compliance by the Feed Program, a letter will be sent to the manufacturer indicating the problems, and if the facility disagrees, the opportunity to appeal via an Informal Hearing within 30 days of the letter date.

When new products are to be produced at the previously inspected facility that was declared in basic compliance, labels for the proposed new products must be submitted for review and registration. When registration of the new products occurs, a revised letter will be issued with a new list of registered products for that facility. The date of coverage for this letter will not be changed from the date on the original letter without a new GMP inspection being performed.

The Feed Program will normally schedule and conduct state GMP inspections for feed manufacturing facilities every three years except for facilities producing medicated feeds, which will be inspected every two years.

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RETURN SERVICE REQUESTED