

Regulatory Services News

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

Spring 2013

Director's Digest

By the time you read this, I will have been the Director of Regulatory Services for a little over six months. To say it has been a steep learning curve would be an understatement and I appreciate the support and patience of those in the industries we regulate and of those I work with here in the Division. We have also gone through lots of changes this last fall with our reorganization as noted in the previous issue of Regulatory News. The newest change in our staff is that Bob Kiser became our Assistant Laboratory Manager as of February 1. Bob has many years of service in the Division as a Lab Supervisor and has been ably serving as Interim Coordinator of our Milk Program. In his new role, Bob will work closely with Dr. Frank Sikora (Director of Soils/Lab) to make sure our labs are accurate and efficient. One of my main goals has been to improve turnaround time on sample analysis and Bob will be a key team member in getting this done.

The Coordinator of our Feed/Milk Programs is the last key to our reorganization puzzle and that position will be filled on March 1. Dr. Alan Harrison will assume that role. Dr. Harrison is a native of Taylor County who received his BS in Agriculture from Eastern Kentucky University and his MS and PhD in Animal Science (Dairy Nutrition) from the University of Kentucky. He comes from a dairy background and has spent several years working in the feed industry as well as a stint in research and teaching at South Dakota State University. His combined experience in nutrition consulting, research and practical dairy farming will be a valuable asset to our feed and milk programs.

We are also taking this time of change to reevaluate our programs. Please read the article by Steve McMurry on proposed changes to our seed service program. Our seed service fees have not been changed since 1994 but our costs certainly have. We need to update our pricing to recover more of our costs. I think you will find these charges to be very competitive with others in the industry and hope you will support us so we can continue to offer this service.

I have had the opportunity to attend many meetings this fall and look forward to attending more this spring. Recently, at the Commodity Conference I was struck by a statistic that reemphasizes the importance of all of us in agriculture sticking together and the need for us to be responsive to the consumers that buy our products. Aleta Botts, University of Kentucky Agriculture Policy Outreach Director, noted in her talk that of the 435 congressional districts in the United States only 130 now have a population that is at least 30% rural. Since it takes 218 votes to pass a law, we in the agriculture community must have good relationships with the urban population. Let's all work together to seek what is best for agriculture.

Darrell Johnson, Director

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Electronic Delivery of the newsletter is starting in spring of 2013

To reduce printing, paper and postage costs, Regulatory Services News is going to electronic. We'll now deliver right 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.

While we at The Division of Regulatory Services do not wish to exclude anyone that wants to receive the newsletter by mail, we ask that you fill out the following form and return to us and we will be happy to send  a printed copy by mail.

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Fax: _____

Company Type: Feed Fertilizer Seed Milk

Please mail to: Regulatory News Letter
 ATT: Tony Bengé
 103 Regulatory Services Building
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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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COMMERCIAL FERTILIZER VALUES FOR 2013.

Commercial fertilizer values are determined and published each year. A state-wide survey was conducted in December 2012 to determine the averages for 2013. 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)	\$13.73
Avail. Phosphate (P ₂ O ₅)	\$9.41
Soluble Potash (K ₂ O)	
*Tobacco (low Cl)	\$14.52
*Non-Tobacco	\$9.98
Calcium (Ca)	\$6.91
Magnesium (Mg)	\$28.03
Sulfur (S)	\$10.45
Boron (B)	\$115.67
Copper (Cu)	\$48.88
Iron (Fe)	\$13.80
Manganese (Mn)	\$41.25
Molybdenum (Mo)	\$20.20
Zinc (Zn)	\$51.89

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 12 (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

Delivery of Seed Reports for Service Samples

We have been sending laboratory reports for seed service samples by both email and postal mail. The emailed report was not signed and the postal mailed report was signed. We sent reports both ways to ensure clients received a signed report. A process has been developed enabling us to deliver signed reports via email. On February 15th, we began sending seed service reports via email only. A letter was sent out to our clients alerting them of this change and to verify the email address in our database as the appropriate address to send reports. If you have a question on the email address in our database, you can contact Marilyn Smith (mm.smith@uky.edu). This change on sending reports only affects testing on service seed samples. Reports for regulatory seed samples are still delivered via postal mail at this time.

There are a couple other options available to our seed service customers. You can view your sample results directly on the internet through your customer portal to our database. We can also send you an email providing you an estimated completion date for your sample results based on our laboratory schedule. If you would like to have either or both of these options, please contact Marilyn Smith (mm.smith@uky.edu).

Dr. Frank Sikora, Director of Laboratories and Soil Program.

Proposed Changes to the Kentucky Agricultural Experiment Station Seed Laboratory Fee Schedule

Regulations under the Kentucky Seed Law were last updated in 1994. Due to significant changes in cost associated with the Kentucky Agricultural Experiment Station Seed Laboratory, our Division has reviewed our cost, and other seed laboratory charges and are proposing the following changes. KRS 250.081(1)(c)6 requires the director of the Agricultural Experiment Station to promulgate administrative regulations establishing charges for tests of samples submitted to the Kentucky Agricultural Experiment Station Seed Laboratory for testing. This administrative regulation establishes a schedule of charges for service tests, analysis, and examination of seed samples in the Kentucky Agricultural Experiment Station Seed Laboratory. At this time we are accepting and welcoming all comments on the proposed changes before we submit them to the Legislative Research Commission for review and submittal. Please contact Steve McMurry, Director of Fertilizer and Seed Programs, smcmurry@uky.edu or Frank Sikora, Director of Laboratories and Soil Program, fsikora@uky.edu for any questions or comments. Both can be contacted by calling (859) 257-2785.

Kind of Seed ¹	Complete Test ²	Purity and Noxious Weed Seed Test ³	Germination Only
Group 1 Corn and soybeans	18	9	11
Group 2 Small grains	14	7	9
Group 3 Tobacco	21	16	11
Group 4 Clovers, alfalfas and lespedezas	18	9	11
Group 5 Lawn and forage grasses	20 ⁴	14	12
Group 6 Native grasses, flowers and forbs	40	30	30
Group 7 Vegetables	18	13	12
Group 8 Ornamentals (trees, shrubs and flowers) and herbs	30	18	20

¹ Charges for kinds not listed below shall be in accord with charges made for other kinds of seed of similar size and analytical difficulty.

² A complete test includes a purity analysis, a noxious weed seed examination (for Kentucky only), and a germination test.

³ Purity and noxious weed seed test includes a purity analysis and a noxious weed seed examination (for only those seed kinds designated as noxious in Kentucky).

⁴ In ryegrass (*Lolium* spp.) samples, a complete test is twenty-five (25) dollars and includes a fluorescence test which distinguishes perennial ryegrass seed and annual ryegrass seed.

Other Testing Fees:

(1) Mixtures submitted for germination testing may be charged a fifteen (15) dollar separation fee. Each component

- over five (5) percent of the total in mixtures shall be charged individually for germination testing.
- (2) Extremely difficult or dirty samples may be charged an additional forty (40) dollars per hour for extra separation time.
 - (3) Samples of coated, encrusted, pelleted, film-coated or treated seed may be charged an additional ten (10) dollars for hand washing and disposal of toxic substances.
 - (4) Schedule of charges for special tests:
 - (a) Noxious weed seed examinations:
 - (1) Kentucky only: ten (10) dollars.
 - (2) Other states: fifteen (15) dollars per state
 - (3) All states: fifty (50) dollars
 - (b) Vigor tests:
 - (1) Accelerated Aging: eighteen (18) dollars.
 - (2) Cold Test: eighteen (18) dollars.
 - (3) Conductivity: eighteen (18) dollars.
 - (c) Moisture test: eight (8) dollars.
 - (d) Seed count per pound: ten (10) dollars.
 - (e) Varietal identification:
 - (1) Soybean hypocotyl color test: fifteen (15) dollars.
 - (2) Phenol test of wheat: eighteen (18) dollars.
 - (3) Peroxidase test of soybean: eighteen (18) dollars.
 - (f) Biotechnology trait identification:
 - (1) Herbicide bioassay: twenty-five (25) dollars.
 - (g) Tetrazolium tests:
 - (1) Groups 1 and 2: eighteen (18) dollars.
 - (2) Groups 4, 5 and 7: thirty (30) dollars.
 - (3) Groups 3, 6 and 8: forty (40) dollars.
 - (h) Endophyte (seed or plant tall fescue):
 - (1) Indirect exam (immunoassay): One (1) to one hundred (100) specimens: one hundred (100) dollars.
 - (5) Other fees and administrative services:
 - (a) Rush service: twenty five (25) dollars per sample in addition to test fee.
 - (b) ISTA Rules: fifteen (15) dollars in addition to test fee.
 - (c) Canadian M&P: eighteen (18) dollars in addition to test fee.
 - (d) Reexamination of a sample to secure information not requested initially, or any analysis or test to obtain information not specifically required by the Kentucky Seed Law may be assessed forty (40) dollars per hour for analytical time.
 - (e) Nonresidents will be assessed an additional charge of fifteen (15) dollars per sample.

Inspector News Update:

The inspectors finished 2012 collecting approximately 2600 samples of both feed and fertilizer and 1731 seed samples. The number of feed and fertilizer samples were both an increase from what was sampled in 2011. The inspectors have increased the number of samples of seed that we are sampling from small package suppliers at Lawn and Garden Centers. In 2012 the inspectors sampled canned pet food during the month of January and dry pet food during July. We just completed the 2013 canned pet food sampling with over 350 samples being collecting from the pet food industry. There are 401 registered pet food companies selling products in KY with approximately 7500 products. We will sample the dry pet food during July.

The inspection staff just completed 75 FDA/BSE inspections at feed mills and have done 4 FDA/FML/BSE medicated feed mill inspections.

The inspectors were in Lexington for three days of training in December. We discussed topics on feed, seed, and fertilizer. We reviewed the 2012 year and put together the plan for 2013 on products to be sampled. The inspectors are working hard to make sure that the products being sold in KY are registered and meet the specifications of the KY laws and regulations. I want to thank the inspection staff for their efforts and dedication for the work completed during 2012.

Jim True-Inspector Coordinator

2012 Feed Program Recap (UNOFFICIAL)

The last of the 2012 feed samples have made their way out of the laboratory and have been reported. An **unofficial** recap of the samples taken by Regulatory inspectors are as follows:

Total official samples: 2582

Number of different types of feeds sampled : 54(including but not limited to Poultry, Beef, Dairy, Horse, Swine, Pet/Small Animal, Goat/Sheep, Ingredients, Drugs, Fats, Blocks, Liquids, and Custom Mixes)

Violative samples: 472

Tons sampled: 12,506

Tests ran: 19,309

The official recapitulation of all official samples drawn by regulatory personnel in 2012 will hopefully be forthcoming in the next few weeks.

2012-2013 Corn Crude Protein Results

Since 8/1/2012 Regulatory inspectors have drawn 109 samples of corn products (shell corn and cracked corn) with crude protein results as follows:

Range of Crude Protein Results 6.52-10.26%

Average Crude Protein Result 8.29%

- 5 samples tested between 6.5-7%
- 11 samples tested between 7.01-7.5%
- 19 samples tested between 7.51-8%
- 29 samples tested between 8.01-8.5%
- 32 samples tested between 8.51-9%
- 8 samples tested between 9.01-9.5%
- 5 samples tested > 9.51%

2012-2013 Corn Aflatoxin Results

Since 8/1/2012 Regulatory inspectors have drawn 110 samples of corn products (shell corn and cracked corn) for Aflatoxin testing with results as follows:

- 88 samples tested less than 10 ppb
- 6 samples tested between 11-19 ppb
- 12 samples tested between 20-50 ppb
- 4 samples tested => 100 ppb

David W. Mason-Interim Feed Program Coordinator

Action Levels for total aflatoxins in grains, ingredients and livestock feeds.

<u>Class of Animal</u>	<u>Feed or Ingredient</u>	<u>Maximum aflatoxin level</u>
Immature animals	Animal feeds and ingredients	20 ppb
Dairy animals (lactating)	Animal feeds and ingredients	20 ppb
Finishing beef cattle	Corn and peanut products	300 ppb
Other beef cattle, swine & poultry	Cottonseed meal	300 ppb
Finishing swine over 100 lb	Corn and peanut products	200 ppb
Breeding cattle, breeding swine & mature poultry	Corn and peanut products	100 ppb
All other animals not listed	Animal feeds and ingredients	20 ppb

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