

Regulatory Services News

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

Summer 2014

Director's Digest- Summer, 2014

Spring has finally arrived and I can't remember a time when it was more welcome. Here's hoping for timely rains and great growing conditions for this spring and summer. Please smack me if you ever hear me complain about it being too hot this summer after the winter we just came through.

The University of Kentucky will be celebrating its 150th anniversary in 2015. In recognition of this anniversary, I thought it would be interesting to review a little of the history of Regulatory Services over the next few issues of this newsletter.

In most states, the work that we do is performed by the Department of Agriculture but in Kentucky, the regulation of fertilizer, seed, feed and milk handling is affiliated with the land grant university. To give proper recognition, the information I will be presenting came from "A History of the UK College of Agriculture" by J. Allan Smith which was published in 1981.

W. A. Scovell became the first director of the Kentucky Agriculture Experiment Station in 1885. In 1886, the Kentucky General Assembly decided to revise the fertilizer law. They passed a bill entitled "An Act to regulate the sale of fertilizers in this Commonwealth, and to protect the agriculturist in the purchase and use of the same". This bill was approved by Governor J. Proctor Knott on April 13, 1886. This bill placed the director of the Experiment Station in full administrative charge of fertilizer control work. Based on this, we just completed our 128th year of regulating fertilizer sales in Kentucky.

Under this new law, anyone selling fertilizer in Kentucky with a retail price of over \$10.00/ton was to furnish a sample of the fertilizer to the Experiment Station before May 1. After analysis, the director was to furnish the manufacturer a certificate stating that the analysis was "a true and complete analysis of the sample furnished him of such brand of fertilizer," and also to furnish copies of the label in quantities of 500 (cost of \$1.00/100 labels) to anyone wishing to sell the product. The cost of the certificate was \$15.00. Fees for the labels and certificates were used to help fund the program. There was not a lot of commercial fertilizer sold at the time so income from the fees was low, amounting to only \$1,020 in 1886, \$1,490 in 1887, and not reaching as much as \$4,000 until 1895.

Continued on page 3

Division Contact Information.....	2
Employee Update.....	3
What is a Stop Sale.....	4
Milk Program-Overview and 2013 Highlights.....	5



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As I mentioned earlier, most regulatory work is currently performed by state departments of agriculture instead of at the land grant university and this was a point of contention in the early 1900's. The Association of American Agricultural Colleges and Experiment Stations appointed a committee to study whether research universities should be performing regulatory work. In their 1908 report they recognized the situation as less than ideal but nevertheless one to be lived with as long as it was set up as a separate division and funding was in place to cover the expenses. Director Scovell was strong in his belief that the proper place for regulatory work was in the Experiment Station. In 1906 he wrote to S. W. Parr of the University of Illinois: "It gives me great pleasure to know that the University of Illinois is to take up the chemical part of the food work. I believe its work is more effective when in charge of the College and Station because their officers are not appointed for a few years only."

The roles of Regulatory Services at UK has changed over the years as I will cover in future issues but continuity in employees has been an asset and we agree with Dr. Scovell that having this Division as part of the College of Agriculture is a benefit to the farmers and agribusinesses of Kentucky as well as to the College.

Darrell Johnson, Director

EMPLOYEE NEWS

Kent VonLanken is a seed purity analyst that has worked at Regulatory Services for almost 30 years. He will be retiring from our seed laboratory at the end of June and assuming a similar position in Powell, Wyoming. I want to thank Kent for his many years of service to our Department and wish him well in his new endeavors. Please feel free to contact Kent with any congratulations and well wishes before he heads west. I don't know if he is taking donations of cowboy boots and/or hats.

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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What is a Stop Sale?

Seed lots placed under stop sale cannot be legally offered for sale, sold or removed from a location until a proper release has been obtained.

Seed stop sales come from two sources:

1. Field issued stop sales: Stop sales may be issued by field staff when seed is found in violation of the Kentucky Seed Law. These often involve seed lots that are mislabeled, have expired test dates or lots distributed by firms not permitted to sell in Kentucky.
2. Office issued stop sales: Stop sales may be issued by the office after an official sample has been obtained and our laboratory analysis indicates the seed lot is mislabeled.

A stop sale order from either of the above sources will contain a form that identifies important details about the seed lot including the seed kind, variety, lot number and number of seed containers. The bottom portion of the form can be used later to request a release on the stop sale, thus resolving the violation.

How to Obtain a Proper Stop Sale Release

Seed stop sale orders may be resolved by a number of options including:

- Relabeling the seed lot with a correct label
- Returning the seed lot to the distributor or seed labeling firm
- Discarding the seed

Regardless of how the stop sale order is resolved, **the retail location is responsible for obtaining a proper release.**

- After a violation has been corrected, simply complete the bottom portion of the stop sale form and submit to our office.
- If a corrected label has been used to resolve a violation, it should accompany the form when requesting a release.
- To expedite a release, simply email to smcmurry@uky.edu, or fax the form (and label if appropriate) to our office at (859) 257-7351. If the stop sale release request is properly completed, we will fax or email you a proper release.

Milk Program – Overview and 2013 Highlights

Dr. Alan Harrison – Director Feed and Milk Programs

The Milk Program administered by UK Regulatory Services is based on Kentucky law (KRS 260.775 to 260.845) and regulation (KAR 5:010 to 5:070). The law establishes licensing requirements for milk handlers, laboratories and laboratory personnel, milk testers, sampler/weighers, transfer stations, and milk importers. The law also defines prohibited actions, inspection fees, and establishes the Milk Handler Advisory Board. This board is composed of representatives from Kentucky dairy industry stakeholders and meets annually. The board is charged with advising the Director of the Kentucky Agriculture Experiment Station concerning policies and programs related to the implementation of the Kentucky Milk Law.

While the law lays the foundation for the Milk Program, regulations provide direction for day-to-day activities. Our regulations provide administrative guidance on licensing, establish criteria for laboratories handling milk, define and describe approved testing methods and protocols, and set record keeping requirements. Regulations also define our authority to inspect and test sampler/weighers, establish criteria to ensure fair and accurate payment for milk produced, and establish uniform standards for payment. The sampler/weigher testing and ensuring fair and accurate payment to Kentucky producers for their milk sold is at the heart of our program.

At our recent Milk Handlers Advisory Board, I presented a review of our regulatory activities. In 2013, Inspector Bob Hickerson sampled a total of 418 loads of milk that included 2487 pickups (individual dairy farms). These loads of milk amounted to 20.5 million pounds or a little under 2% of all milk processed in KY last year. Not all milk processed in the state is produced in the state and not all milk produced in KY is processed in KY. Of the 2487 milk pickups, about 87% (2168) were KY producers. With a total of 730 herds sampled last year, this means we sampled each of these herds an average of 3 times.

Those of us involved with the Milk Program will continue to work to ensure fair payment to Kentucky producers for the milk they produce and sell, regardless of where the milk is processed.

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RETURN SERVICE REQUESTED

