Regulatory Services News

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Director's Digest

What does the latest Agriculture Census tell us?

The results of the 2017 Agriculture Census were released in April and helps show us how agriculture is changing. Those of us who have a farm are aware of having to fill out this census every five years. While it is usually an unwanted task, I think it does provide some interesting trends when compared to previous year's data. The Census Report is available at www.nass.usda.gov/AgCensus and after skimming through the 800+ page report, I have pulled out some points I found interesting both nationally and in Kentucky as shown below:

- The average age of all producers in 2017 was 57.5, up 1.2 years from 2012. For Kentucky, the average age was 56.2. However, the segment of young farmers is growing, with 27% of all farmers nationally considered beginning farmers in 2017, an increase of 5% since 2012. In Kentucky, there were 123,995 farmers in 2017 with 38,603 (31.1%) of those having farmed for less than ten years
- U.S land in farms dropped 1.5% from 914.5 million acres in 2012 to 900.2 million in 2017. However, crop land increased 1.7% from 389.6 million to 396.4 million acres. In Kentucky, farmland dropped 2.7% from 13 million to 12.7 million acres while cropland increased 4.6% from 6.3 to 6.6 million acres. Roughly half of our farmland both nationally and in Kentucky is in cropland.
- Beef cow inventory nationally increased from 28,956,553 in 2012 to 31,722,039 in 2017. Kentucky followed suit going from 985,075 in 2012 to 1,031,675 in 2017. We remain the largest beef cow state east of the Mississippi River and 8th largest nationally.
- Pork production has also increased since 2012. Nationally, the number of hogs and pigs sold increased from 199,115,305 to 235,282,860 (18%). In Kentucky, the increase was from 313,360 to 415,702 (32.6%). Kentucky ranks 18th in the nation in hogs and pigs inventory.
- Broiler and other meat type chicken production increased nationally going from 8.46 billion in 2012 to 8.89 billion in 2017 (5%) but declined in Kentucky from 305.4 billion in 2012 to 289.2 billion in 2017 (-5.3%). Kentucky ranks 7th nationally in broiler production and it is still the leading ag commodity in the state.
- Milk cow numbers increased nationally from 9.2 million in 2012 to 9.5 million in 2017. In Kentucky, milk cow numbers dropped 19.7% from 71,783 in 2012 to 57,645 in 2017. Kentucky ranks 27th nationally in milk production.

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- National inventory of horses and ponies declined 21.4% from 3,621,348 in 2012 to 2,847,289 in 2017. The inventory for Kentucky lists 119,583 head in 2017 which places us third behind Texas (330,671) and Oklahoma (125,537). Of course, we are number one in thoroughbred horses and the equine industry is in the top three ag commodities in the state. Interestingly, we also have a large population of burros, donkeys and mules ranking fourth nationally with 12,268 behind only Texas (81,381), Tennessee (17,899), and Oklahoma (15,901).
- Nationally, sheep and lamb numbers increased 0.49% from 2012 to 2017 (5.39 million head vs 5.36 million head. In Kentucky, sheep and lamb numbers increased 28% in that same time period from 54,612 to 69,933. Kentucky ranks 30th nationally in sheep production.
- Goats have about half the numbers of sheep nationally with 2.7 million head which is virtually unchanged from 2012. Roughly, 75% of the goat herd are meat goats. Kentucky had 59,822 goats in 2017 and ranks 7th nationally for goat meat production and 19th in milk goat production.
- I found it interesting that Llama numbers have dropped nationally from 76,086 head (15,296 farms) in 2012 to 39,599 (9,098 farms) in 2017. Alpacas dropped from 140,061 head (9,353 farms) to 121,904 (10,054 farms) in the same time period. So, while Llamas dropped in both the number of head and farms, Alpacas dropped in the number of head but increased in the number of farms.
- Switching to crops, corn for grain acres nationally decreased from 87.4 million acres in 2012 to 84.7 million acres in 2017. However, yield increased from 10.3 billion bushels to 14.8 billion bushels. It should be noted that 2012 was a bad crop year for corn. Corn yield nationally has increased from a little over 130 bushels/acre in 2000 to 176.4 bushels/acre in 2018. In Kentucky, corn for grain acres dropped 18% from 2012 to 2017 (1.53 million to 1.25 million acres) but yield increased from 104.9 million bushels to 220 million bushels. That's a yield of 175 bushels/acre in 2017. Kentucky ranks 14th nationally in corn production.
- Acres dedicated to soybeans has increased nationally from 76.1 million acres in 2012 to 90.1 million acres in 2017 (18.4%). Yield during the same period went from 2.9 billion bushels to 4.4 billion bushels. Soybean yields have increased from a little over 35 bushels/acre in 2000 to 51.6 bushels/acre in 2018. In Kentucky, soybean acres increased from 1.47 million acres in 2012 to 1.88 million acres in 2017 while yield went from 56.4 million bushels to 96.7 million bushels during the same time period. Kentucky ranks 12th nationally in soybean production.
- Tobacco farms in Kentucky numbered 46,850 in 1997 with a production of 497,856,262 lbs. In 2012, there were 4,537 tobacco farms with a production of 183,904,938 pounds. In 2017, there were 2,618 farms with a production of 173,898,978. Average production per farm was 10,627 lbs in 1997 compared to 40,534 lbs in 2012 and 66,424 lbs in 2017. Production in 2017 is only 35% of what it was 20 years ago but production per farm has increased almost 6-fold. Like many other ag commodities, tobacco is moving away from small farms to bigger production units.
- There are some interesting trends from this census related to consumers. Agritourism and recreational services in Kentucky showed 651 farms involved in both 2012 and 2017 but income rose from 7 million dollars to 17 million dollars in that 5-year span. Nationally, the number of farms involved in agritourism dropped from 33,161 in 2012 to 28,575 in 2017 but value rose from 704 million to 949 million in the same time period.
- The census suggests that more people are purchasing organic foods. U.S. organic product sales rose from 3.1 billion dollars to 7.3 billion dollars from 2012 to 2017. During that same time span, USDA certified organic farms rose from a little over 4 million to a little under 14 million. In Kentucky, the number of organic farms rose from 70 to 163 and value of products sold rose from $4,059,000 to $13,961,000.
- More consumers are also looking to buy directly from the farm. Nationally, value of food sold directly to consumers rose from $1.3 billion in 2012 to $2.8 billion in 2017. In Kentucky, these sales rose from $16,438,000 to $28,836,00 during the same time span.
- More farms are utilizing renewable energy producing systems such as solar panels, wind turbines, methane digesters or geothermal/geoexchange

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systems. Nationally, the number of farms using this technology rose from 57,299 in 2012 to 133,176 in 2017. In Kentucky, farms using this technology also more than doubled, going from 1,208 to 3,512 during this 5-year time span.

I realize you must take some of these numbers with a grain of salt depending on how many and which farms responded to the survey, but I think the response rate is significant enough to suggest trends. The census shows that our livestock industry is still strong and that our crop farmers continue to make great strides in improving yield/acre. It also supports that consumers are serious about knowing where their food comes from and that the organic movement is here to stay. For Kentucky, we can be proud of where we rank nationally in both livestock and crops plus the amount of money that agriculture contributes to the state economy. We must continue finding ways to replace the income that tobacco used to provide. It will be interesting to see census results for hemp in 2022.

Dr. Darrell Johnson
Executive Director

Pet Owners In The Know - Nutritional Adequacy of Pet Foods

Did you know that most dog and cat foods are formulated to meet specific nutrient standards? Most dog and cat foods on the market today that are intended to be fed as the complete diet are formulated to meet the nutrient values of the Association of American Feed Control Officials (AAFCO) Dog and Cat Food Nutrient Profiles. Check the back of your pet food label. Chances are high you will find a statement that says something like "My Brand Pet Food is formulated to meet the nutritional levels established by the AAFCO Dog/Cat Food Profiles for maintenance/all life stages."

Expert panels in canine and feline nutrition were convened in the 1990's to develop the AAFCO Dog and Cat Food Nutrient Profiles. These expert panels reviewed available research, including the National Research Council (NRC) Nutrient Requirements of Dogs and Nutrient Requirements of Cats, for the levels of specific nutrients (such as Vitamin A or Zinc) required to keep your dog or cat healthy. The AAFCO Dog and Cat Food Nutrient Profiles were designed to establish practical minimum and some maximum nutrient concentrations for dog and cat foods formulated from commonly used ingredients. The Profiles were updated in 2016 to account for the availability of new studies and data.

To leave you with a final thought: are you feeding your dog or cat the right food for their age and life stage? Just as people have changing dietary requirements as we grow from babies to adults and through special life events like pregnancies, so do dogs and cats. AAFCO has established different Profiles to meet the needs of young, pregnant and lactating dogs and cats versus the nutrient needs of adult animals. This means that you should feed your kitten a food that bears the AAFCO nutritional adequacy statement that is "for all life stages" whereas the food for your mature cat can bear the statement that is "for maintenance."

Kristen Green,
Registration Specialist

Labeling Hemp Seed

Labeling requirements for hemp seed are defined in section 250.041 of the Kentucky Seed Law. This section defines the labeling requirements for agricultural seed and agricultural seed mixtures that are distributed in bulk or packages of 1 pound or more. The law defines distribution as "to consign, offer for sale, sell, advertise for sale, barter, or otherwise supply agricultural seed." Those involved in the distribution of hemp seed are required to obtain a Permit to Label Agricultural Seed and Seed Mixtures or purchase official seed tags from the Division of Regulatory Services.

The seed analysis tag is often times also referred to as the label in the law. As the law does not define exactly what the label or tag is in terms of size and print size requirements, it is accepted that the labeling includes any information on the seed container and any tags attached to the container. All information presented must be truthful.

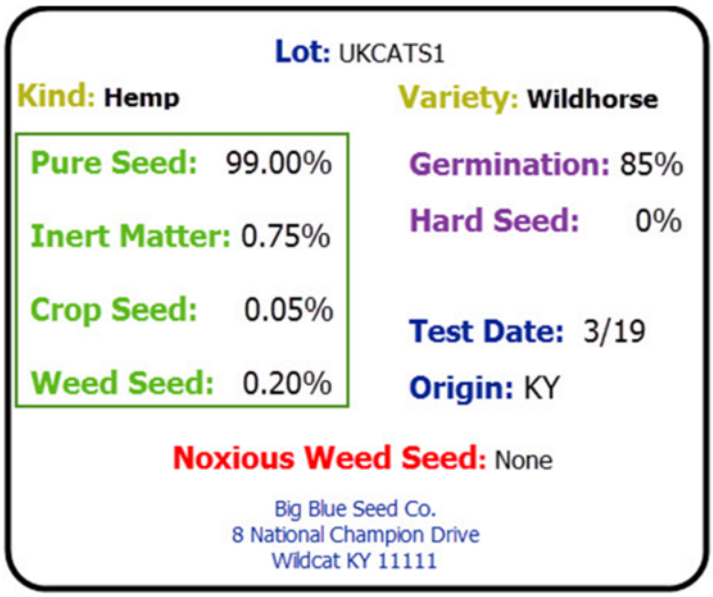
Required information on the label includes the following:

1. The name of the kind and variety of the seed.
2. Lot number.
3. Percentage of Pure seed.
4. Percentage of crop seed.
5. Percentage of inert matter. Inert matter cannot include coating material. Coating

material has to stated separately from the inert matter

6. Percentage of weed seed.
7. The name and rate of occurrence per pound of each kind of restricted noxious weed seed present. The restricted noxious weeds and rates of occurrence are defined in the regulations.
8. For each agricultural seed named on the label:
   a. Percentage of germintion, exclusive of the hard or dormant seed.
   b. Percentage of hard seed or dormant seed, if present.
   c. Origin which is declared as a state or foreign country.
   d. The calendar month and year in which the germination test was completed.
9. The name and address of the person labeling the seed. "Person" is defined as an individual, partnership, company, corporation, or other type of business establishment.

An example of an acceptable label is shown below:



Other requirements in the law that a person needs to be aware of when preparing an agricultural seed label include:

1. Agricultural seed that has a germination of below 60% cannot legally be offered for sale.
2. The maximum permitted common weed seed can be no more than 2%.
3. The labeled restricted noxious weed seed cannot exceed the maximum permitted rate of occurrence that is prescribed in the regulations.
4. Seed kinds that are present at below 5% can be declared on the label. The origin, pure seed percentage, germination components, and the germination test date are required for these if they are declared.
5. Seed label guarantees should be based on the results of valid laboratory tests as the seed analysis documents the test results. It is not correct to use the test results and factor in the analytical tolerance. This practice is false and misleading.

More information on the Kentucky Seed Law and regulations under the law can be obtained by going to the Division of Regulatory Services web site, www.rs.uky.edu or contact Steve McMurry at smcmurry@uky.edu or Marilyn Smith at mm.smith@uky.edu, 859-218-2468.

Steve McMurry
Director of Fertilizer and Seed Programs

Feed Sample Reports and New Label Requirements

The authority for our inspectors to collect feed samples at Kentucky distributors is granted under Kentucky Feed Law (KRS 250.581). The statute also requires our division to send the results of official samples to "*the person named on the label and to the purchaser*". Our policy is to send a copy of the report to both the guarantor and the distributor of the product.

When a product sampled fails to meet any of the label guarantees, the manufacturer or guarantor is asked to investigate and report back to the Feed Director. We have the authority to withdrawal any product not meeting all guarantees from distribution. However, we do not exercise this option on a routine basis. If the health of animals or humans could be impacted by the violation and the lot in question is still in distribution, we will issue the withdrawal notice and ask for the investigation. KRS 250:581 also gives the guarantor the right to ask for a portion of the sample tested if they question our lab results.

The request for investigation that accompanies lab reports with label violations is just a request. However, I would encourage all guarantors to take the time to fill out the form and make the needed corrections to the formula, the label, or both. We are also available to assist firms that want to make more consistent products that meet guarantees. Many

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times, the issue is more related to mistakes in labeling than a formulation error.

In October of 2018, our updated feed regulations took effect. The most significant changes related to livestock feed labeling are in 12 KAR 2:018. This regulation outlines the guarantees that must be listed for each species. Changes included:

- Splitting of goat and sheep requirements, previously considered together.
- Allowing either crude fiber or acid detergent fiber (ADF) to be listed for swine, poultry, beef, and sheep complete and supplements.
- Requiring both crude fiber and ADF to be listed for goat completes and supplements.
- Requiring crude fiber, ADF, and neutral detergent fiber (NDF) to be listed for equine completes and supplements.

Though the regulation changes have been in effect since last fall, we have used the education first approach and have not forced firms to comply with the new label requirements. Effective October 1, 2019, education time is over and enforcement begins. Goat completes and supplements will need an ADF guarantee and equine feeds will need both ADF and NDF guarantees. Any complete or supplement that is labeled for use in equine, such as an all stock, will also require both ADF and NDF guarantees. Since last fall, ADF and NDF tests have been added to beef, dairy, goat, sheep, and equine feed samples to provide firms with values that can be used on their labels. We have also provided guidelines for manufacturers that understand crude fiber levels but may not have experience with ADF and NDF levels. The table listed below can be used as a guide to add ADF and NDF with a known crude fiber level. These values were based on our lab results with equine feeds.

Crude fiber	ADF	NDF
5.0	8.0	17.0
7.5	11.0	21.0
10.0	14.0	26.0
12.5	18.0	31.0
15.0	21.0	36.0
17.5	24.0	41.0
20.0	27.0	46.0

Dr. Alan Harrison
Director of Feed and Milk Programs

The following FDA update is of importance to both consumers and pet food retailers. We felt it important to share for maximum distribution.

FDA Investigates Contaminated Pig Ear Pet Treats Connected to Human Salmonella Infections

FDA is coordinating with the U.S. Centers for Disease Control and Prevention and state agencies to investigate 127 human cases of *Salmonella* serotypes I 4,[5],12:i:-, Infantis, London, and Newport across multiple states. Many of these cases have reported exposure to pig ear pet treats. FDA traceback of some of the treats indicates that they came from sources in Argentina and Brazil.

Testing conducted by the Michigan Department of Agriculture and Rural Development (MDARD) revealed that samples of pig ear pet treats collected from Pet Supplies Plus were positive for *Salmonella* London, *Salmonella* Typhimurium, *Salmonella* Newport, and *Salmonella* Infantis. On July 3, 2019, Pet Supplies Plus notified the public about a recall of all bulk pig ear products supplied to all its retail locations by several different vendors, including Lennox Intl Inc.

Further traceback by FDA has found that many of the people who became ill had encountered pig ear pet treats that were distributed by Lennox Intl Inc. Lennox reports that it sourced these pig ears from Argentina and Brazil. FDA is working with Lennox and other firms to identify the source of the pig ear treats, how they became contaminated, and where they were distributed.

On July 26, Lennox notified the public about a recall. On July 30, the firm expanded that recall and issued an additional public notification. The FDA and CDC have identified 43 human illnesses in this *Salmonella* outbreak linked to Lennox product that were first isolated in November 2018.

To date, human *Salmonella* infections have been linked to pig ears imported from Argentina and Brazil. However, these pig ears do not account for all the illnesses in this outbreak. Pig ears in bulk bins (not packaged or wrapped) may be comingled from multiple sources which does not allow the products to be distinguished. In addition, effective product irradiation may not have occurred for bulk products and for packaged or individually wrapped products.

In addition to the existing Import Alert 72-03 ("Detention Without Physical Examination and Intensified Coverage of Pig Ears And Other Pet Treats Due To The Presence of Salmonella") on pig ear pet treats, FDA is increasing its scrutiny of pig ears im-

ported into the United States through sampling and examination.

Fast Facts

- The U.S. Food and Drug Administration, together with the Centers for Disease Control and Prevention (CDC) and State partners, is investigating a suspected link between pig ear pet treats and human cases of salmonellosis.
- As of July 31, 2019, CDC reports that there are 127 cases of human infection tied to exposure to pig ear pet treats with *Salmonella enterica* serotypes I 4, [5],12:i:-, Infantis, London, and Newport in 33 states. CDC reports that many of these cases are multidrug-resistant. Twenty-six people have been hospitalized.
- The FDA has traced back some of the pig ear treats associated with cases of illness to sources in Argentina and Brazil. Two firms have recalled. Some of these treats have tested positive for *Salmonella*, and further testing is ongoing to identify the *Salmonella* strain(s).
- As of July 31, 2019, based on information gathered from cases and the traceback data gathered from FDA, the FDA and CDC are recommending that people avoid purchasing or feeding *any* pig ear pet treats at this time. If you have pig ear pet treats, safely discard them and thoroughly clean the areas where the treats have been.
- FDA is working with impacted firms to remove pig ear pet treats from the marketplace and identify places where they may have been distributed.
- *Salmonella* can affect both human and animal health. People with symptoms of *Salmonella* infection should consult their healthcare providers. Consult a veterinarian if your pet has symptoms of *Salmonella* infection.
- This is an ongoing investigation and FDA will provide the public with new information as it becomes available.

What products are involved?

- On July 3, 2019, Pet Supplies Plus announced a recall of all bulk pig ears from its stores in AL, AR, CA, CO, CT, DE, FL, GA, IA, IL, IN, KS, KY, MA, MD, MI, MN, MO, NC, NE, NH, NJ, NY, OH, OK, PA, RI, SC, TN, TX, VA, WI and WV.
- On July 26, 2019, Lennox Intl Inc. announced a recall for some of its pig ear pet treat products. On July 30, the firm announced an expanded recall.

Why is FDA issuing this alert?

The FDA is issuing this alert because contaminated pig ear pet treats represent a serious threat to human and animal health and are adulterated under the Federal Food, Drug, and Cosmetic Act because they contain *Salmonella*. FDA is also making consumers aware of the issue so they can choose whether to remove pig ear treats from their homes or take steps to potentially prevent *Salmonella* infection. The agency will update this alert with additional information as it becomes available.

What do consumers need to do?

The FDA and CDC recommend that people avoid purchasing or feeding *any* pig ear pet treats at this time. This recommendation may change as more information becomes available.

If you have pig ear treats, throw them away in a secure container where animals, including wildlife, cannot access it. Wash your hands thoroughly and disinfect any surfaces that have come into contact with potentially contaminated products.

In general, if you choose to feed treats like pig ears, practice good hygiene by: monitoring your pet while they have the treat, picking up the treat when they are done with it, keeping treats away from small children, cleaning the areas the treat contacted, washing hands, and not allowing your pet to lick you, your family members, or surfaces in your home.

What do retailers need to do?

FDA and CDC recommend that retailers, including online retailers, stop selling all pig ear pet treats.

Retailers, distributors and other operators who have offered pig ears for sale should wash and sanitize bulk bins, other storage containers, and any surfaces (e.g., counters, displays, floors) that have come into contact with potentially contaminated products. In addition, you should advise employees and customers to wash their hands after handling pet treats and food. Carefully dispose of pig ear pet treats in a secure container where animals, including wildlife, cannot access it. Alternatively, retailers who choose not to immediately dispose of pig ear pet treats should securely and safely store packaged product while they determine next steps. FDA will release additional information about the investigation as it becomes available.

What is Auditing?

Auditing is defined as the on-site verification activity, such as inspection or examination, of a process or quality system, to ensure compliance to requirements. An audit can apply to an entire organization or might be specific to a function, process, or production step. Some audits have special administrative purposes, such as auditing documents, risk, or performance, or following up on completed corrective actions.

There are different types of audits, depending on the purpose of it. Some audits are named according to their purpose or scope. An audit may also be classified as internal or external, depending on the interrelationships among participants. Internal audits are performed by employees of your organization. External audits are performed by an outside agent. Internal audits are often referred to as first-party audits, while external audits can be either second-party or third-party.

There are four phases of an audit. First is the audit preparation. Audit preparation consists of everything that is done in advance by interested parties, such as the auditor, the lead auditor, the client, and the audit program manager, to ensure that the audit complies with the client's objective. The preparation stage of an audit begins with the decision to conduct the audit. Preparation ends when the audit itself begins.

The second phase of an audit is audit performance. The performance phase of an audit is often called the fieldwork. It is the data-gathering portion of the audit and covers the time period from arrival at the audit location up to the exit meeting. It consists of multiple activities including on-site audit management, meeting with the auditee, understanding the process and critical controls and verifying that these controls work, communicating among team members, and communicating with the auditee.

The third phase of the auditing process is writing the audit report. The purpose of the audit report is to communicate the results of the investigation. The report should provide correct and clear data that will be effective as a management aid in addressing important organizational issues. The audit process may end when the report is issued by the lead auditor or after follow-up actions are completed.

The final phase is the audit follow-up and closure. According to ISO 19011, clause 6.6, "The audit is completed when all the planned audit activities have been carried out, or otherwise agreed with the audit client." Clause 6.7 of ISO 19011 continues by stating that verification of follow-up actions may be part of a subsequent audit. Depending on the audit findings and how difficult it is to fix a nonconformance, the findings could be monitored for as long as a year.

The ones we focus on at UKDRS laboratories are a quality management system audit that evaluates our quality management system to determine if we are conforming to UKDRS policies, commitments, and regulatory requirements and our method and quality SOPs to determine if we are "doing what we say and saying what we do". We just completed two audits this year. One was on our analytical method "UK-MT-488, Determination of Lasalocid in Animal Feed and its ingredients" and the other was on our quality method "UK-QU-009, Sample Weighing". We also completed our audit of our quality management system.

We have made great progress towards achieving ISO 17025:2017 accreditation this year. Our plans are to seek a pre-assessment audit from an accrediting body. Once we have fixed any findings from their audits, we will be ready to officially seek ISO 17025:2017. These are exciting and busy times for us! We are working towards this to ensure that we continue to provide unbiased quality results for our customers.

Dr. Sharon F. Webb,
Director, Quality Program

Personnel Notes

If you have called our office recently and felt that you heard a new voice, then you were correct. Debbie Patrick started as our new receptionist on July 16. Debbie lives in Lawrenceburg and previously served as the assistant to the Master Commissioner in Anderson County. When she is not working here, Debbie enjoys spending time with her grandson.

The voice you previously heard is still here but we had some shuffling in positions this summer. Annie Simmons who had been our account clerk for several years retired in June. Monica Benjamin who had been our receptionist was hired for her position and that made a spot for Debbie.

We are glad to have Debbie as part of our Regulatory Services family and please make her feel welcome when you call in.

Upcoming Meetings

AAFCO Annual Meeting
August 5-7
Louisville Marriott Downtown
Louisville, KY
https://www.aafco.org/Meetings

AAPFCO Summer Annual Meeting
August 7-9
Louisville Marriott Downtown
Louisville, KY
http://www.aapfco.org/meetings.html

AgriBusiness Association of Kentucky Summer Meeting
August 14-15
Holiday Inn University Plaza
Bowling Green, Ky
https://kyagbusiness.org/

Milk Quality Conference
August 27-29
Lake Barkley State Park
Cadiz, KY

UK College of Ag Roundup
September 11-14
E. S. Good Barn
University of Kentucky
https://alumni.ca.uky.edu/roundup

Beef Bash
September 26
C. Oran Little Research Farm
Versailles, KY

Kentucky Agribusiness Summit (ABAK Annual Meeting)
November 5-7
Holiday Inn Hurstbourne
Louisville, KY
https://kyagbusiness.org/

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