

Regulatory Services News

Vol. 57, No. 1

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

Spring 2014

Director's Digest- Spring, 2014

"Polar Vortex" was a phenomenon I had never heard of prior to this winter but now makes me flinch like the letters IRS when I hear it mentioned during the local weather. According to the UK Ag Weather Center, low temperatures across the state only averaged 18 degrees during the month of January which was 6 degrees below normal. The National Weather Service in Louisville reported that this was the coldest January since 2003 for the cities of Lexington and Louisville. In addition, the state average temperature of 28 degrees was the 13th coldest on record since 1895.

["Winter is not a season, it's an occupation."](#) This is a quote from Sinclair Lewis that seems particularly appropriate for those of us who have a farm this winter. Frozen water pipes in houses and barns plus trying to put out hay on solid sheets of ice have been a challenge for many. Thank goodness we had a good hay year in 2013 as livestock are consuming hay at a record pace. I'm confident that spring will be here soon and this will bring some much needed changes.

Change is something we are also facing in much of Agriculture. For our seed clientele, the new regulatory forms and pricing for our service functions took effect on January 1. Please advise whoever does the seed work in your company to use the new forms to avoid confusion and miscalculation of fees. These forms are available on our website. I think you will find the quarterly report forms to be much simpler than the previous ones.

Many changes are coming from a regulatory standpoint for the feed industry. The comment period for the new feed regulations as a result of the Food Safety Modernization Act (FSMA) have been extended to March 31. This will bring about significant changes in housekeeping and record keeping for feed companies and I encourage you to become involved in the conversation. In December, proposals were put forth in regards to the use of medication in animal feeds. Dr. Harrison discusses this thoroughly in his article and I would encourage you to view the one hour webinar from the University of Illinois that he references.

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A 2011 survey by Case IH asked farmers the top issues that would affect their business both in the next year and for five years out. The number one issue was new government mandates and regulations. Consumers expect accountability in their food supply and while this will present challenges to the agriculture industry, they are not insurmountable. We at Regulatory Services will do what we can to keep you informed of the new regulations. We do have to help enforce the rules but believe education is a key component of enforcement. Please let us know of any opportunities to provide you the information you need to stay in compliance.

Darrell Johnson, **Executive Director**

Changes in FDA Guidelines for Medication in Animal Feeds **Dr. Alan Harrison – Director Feed and Milk Programs**

On December 11, 2013, the U.S. Food and Drug Administration (FDA) announced the implementation of a plan to phase out the use of medically important antimicrobial drugs in food animal production. The plan also includes an increase in veterinary oversight for therapeutic use of the same antimicrobial drugs. The FDA has been working towards this strategy for the last few years with a couple of goals in mind: 1) preserving the use of medically important drugs for the treatment or prevention of animal diseases, and 2) addressing the issue of the development of antimicrobial resistance.

The use of antimicrobial medications in animal feed has been debated for many years and much has been written supporting and condemning the practice. Nevertheless, this ruling by FDA effectively ends the debate. The rules are changing and the animal feed industry must comply with new regulations. It is important to remember that the use of antibiotics in animal production is being curtailed, not eliminated. Antimicrobial drugs will no longer be allowed for production purposes (such as increased weight gain or improved feed efficiency) but will still be allowed for disease control.

The medications falling under the new rules are limited to drugs classified as medically important. Basically, these are the antimicrobial drugs that are also used in human medicine. Only antibiotic drugs used in the feed and water of food producing animals are affected by the new regulations. Drugs **not included** under the new guidelines include ionophores (monensin and lasolacid), carbadox, bacitracins, and flavomycins. These antimicrobials are not used in human medicine.

The Veterinary Feed Directive (VFD) system has been in place since 2001 but veterinary oversight was limited to a few antimicrobial drugs. These new regulations expand the VFD program to include all antimicrobials classified as medically important. The FDA has proposed changes in the VFD program that should im-

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prove efficiencies including flexibility in the veterinarian-client relationship, dropping the feed quantity requirement for the producer purchasing VFD feed, and a reduced recordkeeping burden for all parties.

For those not familiar with the VFD process, here are the basics of how the proposed expanded program will work. A veterinarian would issue a VFD for animals under his or her “supervision or oversight”. The VFD would specify the species and production class of the animals, duration of use, and approximate number of animals to be fed. The VFD authorizes access to the drug for up to 6 months for a specific disease etiology. Once the producer has the VFD, they would select the feed mill to manufacture the feed.

The manufacturers of these antimicrobials have been asked to voluntarily change their labels to withdraw production claims and move from over-the-counter (OTC) to VFD status. The manufacturers were given 3 months to let FDA know their intentions with regards to label claims and then have 3 years to complete the transition process. After the drug manufacturer (sponsor) removes a production claim from the approved labeling, the continued use of that drug for a production purpose will be considered as illegal, extra-label use.

These new FDA regulations are still in the proposed rule stage and are subject to change but there will be major changes in how and when antimicrobials are fed to food producing animals. Producers currently using medicated feeds should discuss these new rules with their veterinarians and nutritionists. As these new rules take effect, expect to see a renewed emphasis on biosecurity and vaccination protocols, as well as feed additives promoted as alternatives to antibiotics. The proposed changes certainly represent a challenge to the industry but the industry will adjust and survive.

I would like to thank Drs. Jim Pettigrew, Larry Firkins, and Hans Stein of the University of Illinois for their timely and excellent webinar on this topic. If you would like to view their slides and listen to the webinar, here's the link: <http://nutrition.ansci.illinois.edu/AntibioticsWebinar>

Changes to the Seed Inspection Fees Quarterly Report

The changes to the inspection fees associated with seed sales in the state began January 1, 2014. The updated Seed Quarterly Report will be sent in late March for the first quarter. A copy of the Seed Quarterly Report is also included in this edition of Regulatory Services News. The labeling and inspection fee for agricultural seed permit holders is shown below:

- (a) For packages weighing one (1) pound and up to and including twenty-five (25) pounds: eight (8) cents per package;
- (b) For packages or units of seed in excess of twenty-five (25) pounds in weight and up to and including 100 pounds: twelve (12) cents per package or unit.
 - 1. A unit of corn shall be 80,000 seeds.
 - 2. A unit of soybeans shall be 140,000 seeds; and
- (c) For packages in excess of 100 pounds and seed distributed in bulk:
 - 1. Twenty-four (24) cents per 100 pounds; or
 - 2. Twelve (12) cents per unit.



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SEED QUARTERLY REPORT		-	MARK APPLICABLE QUARTER (X)	
<input type="checkbox"/> 1 st Jan-Mar (20_____)) Due Apr 30 Delinquent May 15	<input type="checkbox"/> 2 nd Apr-Jun (20_____)) Due Jul 31 Delinquent Aug 15		<input type="checkbox"/> 3 rd Jul-Sep (20_____)) Due Oct 31 Delinquent Nov 15	<input type="checkbox"/> 4 th Oct-Dec (20_____)) Due Jan 31 Delinquent Feb 15
(full name and address of firm) Permit : _____			<i>All firms holding a permit to label seed must file a report each quarter even if no seed was distributed. Reports are due no later than 45 days after the quarter ends. An added assessment of \$25 or 10% of the unpaid fee, whichever is greater, is to be made for each late report.</i>	

1. Number of packages one pound in weight and up to and including 25 pounds in weight

_____ packages X \$.08 = \$ _____

2. Number of packages or units distributed in excess of 25 pounds up to and including 100 pounds

_____ packages X \$.12 = \$ _____

_____ units X \$.12 = \$ _____

3. Number of pounds or units distributed in Bulk or in excess of 100 pounds

_____ pounds X \$.0024 = \$ _____

_____ units X \$.12 = \$ _____

4. Total Inspection Fee Due (total of items 1,2 & 3)

\$ _____

5. Late Fee of \$25.00 or 10% of unpaid balance, whichever is greater.

(Include if report is being filed more than 45 days **after** quarter ends.) \$ _____

6. Amount of this PAYMENT - - - Check Attached

TOTAL \$ _____

Printed name and title of person making submittal: _____

Phone: _____ Fax: _____ Date: _____

Signature: _____ E-mail: _____

Please make checks payable to UNIVERSITY OF KENTUCKY and submit with quarterly report to Division of Regulatory Services, University of Kentucky, 103 Regulatory Services Building, Lexington, KY 40546-0275

Do Not Write in this space – For use of Division of Regulatory Services

Check	Check	Date	Date	Company	Account
<u>Amount</u>	<u>Number</u>	<u>Issued</u>	<u>Received</u>	<u>Code</u>	<u>Code</u>
					63




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MEMORANDUM

TO: All Kentucky Fertilizer Registrants

FROM: Stephen McMurry, Coordinator 
Fertilizer and Seed Regulatory Program

DATE: January 27, 2014

SUBJECT: COMMERCIAL FERTILIZER VALUES FOR 2014.

Under the provisions of Chapter 250.401 of the Kentucky Fertilizer Law, the following unit values are announced for use in assessing penalties of deficient fertilizer.

NUTRIENT	DOLLARS/UNIT (20 LBS.)
Total Nitrogen (N)	\$11.19
Avail. Phosphate (P_2O_5)	\$7.34
Soluble Potash (K_2O)	
*Tobacco (low Cl)	\$14.24
*Non-Tobacco	\$7.82
Calcium (Ca)	\$6.91
Magnesium (Mg)	\$27.79
Sulfur (S)	\$10.24
Boron (B)	\$121.10
Copper (Cu)	\$48.88
Iron (Fe)	\$13.80
Manganese (Mn)	\$41.25
Molybdenum (Mo)	\$20.20
Zinc (Zn)	\$54.60

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 13 (distributed) tonnage for ammonium nitrate, Urea, DAP, TSP, MAP, and ammonium sulfate.

These values are state-wide averages taken from the December 2013 survey. They represent the average of responses from throughout the state for retail value of bulk mixed fertilizers.

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

SM/jmc


HOW TO PROPERLY LABEL VEGETABLE SEED

To determine proper labeling for vegetable seed, the first question to ask yourself is who is buying the seed. When vegetable seed is packaged for the end user the following is needed on each package of vegetable seed.

- Seed Kind and Variety
- Lot Number
- Seedsman name and address

Germination and Test Date (month and year) OR The year for which the seed was packed for distribution as "Packed for -----"

The 2 labels below are a good example of properly labeled vegetable seed for the end user.

 Division of Regulatory Services <i>College of Agriculture, Food and Environment</i>	
Lot: 500	Net Weight: 2 Ounces
Kind: Garden Bean	Variety: Kentucky Wonder
Packed for 2014	
Kentucky Seed Sales 100 Garden Road, Anywhere KY 40000 <i>An Equal Opportunity University</i>	

 Division of Regulatory Services <i>College of Agriculture, Food and Environment</i>	
Lot: 500	Net Weight: 2 Ounces
Kind: Garden Bean	Variety: Kentucky Wonder
Germination: 85.00 %	
Date Tested (mo./yr.): 1/2014	
Kentucky Seed Sales 100 Garden Road, Anywhere KY 40000 <i>An Equal Opportunity University</i>	

For vegetable seed not packaged for the end user but for further distribution the following is needed on each package of vegetable seed.

- Seedsman name and address
- Seed Kind and Variety
- Lot Number

Germination and Test Date (month and year)

The label below is a good example of properly labeled vegetable seed for further distribution.

 Division of Regulatory Services <i>College of Agriculture, Food and Environment</i>	
Lot: 500	Net Weight: 1 lbs.
Kind: Garden Bean	Variety: Kentucky Wonder
Pure Seed: 99.00 %	
Germination: 85.00 %	
Date Tested: 1/2014	
Kentucky Seed Sales 100 Garden Road, Anywhere KY 40000 <i>An Equal Opportunity University</i>	

When the germination is less than the standard listed below for vegetable seed packaged for the end user, the germination percentage, hard seed percentage (if present), and the words "Below Standard" in not less than eight (8) point font size must be on each package.

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Kind	Percent		Kind	Percent
Anise	50		Kale	75
Artichoke	60		Kale, Chinese	75
Asparagus	70		Kale, Siberian	75
Asparagus Bean	75		Kohlrabi	75
Basil, Sweet	70		Leek	60
Bean, Garden	70		Lettuce	80
Bean, Lima	70		Oregano	60
Bean, Runner	75		Marjoram, Sweet	50
Beet	65		Muskmelon	75
Broadbean	75		Mustard	75
Broccoli	75		Mustard, Spinach	75
Brussel Sprouts	70		Okra	50
Burdock, Great	60		Onion	70
Cabbage	75		Onion, Welsh	70
Cabbage, Tronchuda	70		Oregano	60
Cantaloupe	75		Pak-Choi	75
Caraway	55		Parsley	60
Cardoon	60		Parsnip	60
Carrot	55		Pea	80
Cauliflower	75		Peanut	60
Celeraic	55		Pepper	55
Celery	55		Pumpkin	75
Chard, Swiss	65		Radish	75
Chervil, Salad	65		Rhubarb	60
Chicory	65		Roquette	60
Chinese Cabbage	75		Rosemary	30
Chives	50		Rutabaga	75
Citron	65		Sage	60
Collards	80		Salsify	75
Coriander	70		Savory, Summer	55
Corn, Pop	75		Sorrel	65
Corn, Sweet	75		Soybean	75
Cornsalad	70		Spinach	60
Cowpea	75		Spinach, New Zealand	40
Cress, Garden	75		Squash	75
Cress, Upland	60		Thyme	50
Cress, Water	40		Tomato	75
Cucumber	80		Tomato, Husk	50
Dandelion	60		Turnip	80
Dill	60		Watermelon	70
Eggplant	60			
Endive	70			
Fennel, Florence	60			
Fennel, Sweet	50			

Inspector News Update: Jim True

The inspectors finished 2013 collecting 2680 feed samples, 2850 fertilizer samples, and 2040 seed samples. This was an increase in all three program areas from 2012. The specialty market products continue to increase as there are more registered seed and fertilizer products in the lawn and garden market. The pet food industry continues to expand with now over 400 companies manufacturing over 11,000 registered pet food products. During January there were 370 canned pet food products sampled.

The inspection staff has worked the last 3 months completing 75 FDA/BSE inspections at feed mills and has done 4 FDA/FML/BSE medicated feed mill inspections. FDA has added a new inspection for non-licensed medicated feed mills and the inspectors have completed 16 of these inspections along with the BSE inspection. We will be doing more of these in the future and your inspector will be assisting you on requirements from FDA. The new Food Safety Modernization Act will be bringing more changes to how we inspect feed mills. This past fall Nathan Keith and Mark Barrow attended FDA training on BSE and 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 2013 year and put together the plan for 2014 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 2013.

Spring is just around the corner and the inspectors will be busy sampling seed and fertilizer for the next several months in preparation for the planting season.

If you know of anyone that you feel would benefit by receiving the Regulatory Services Newsletter, please have them visit the Division's website at www.rs.uky.edu, navigate to the Newsletter page and submit their contact information.

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RETURN SERVICE REQUESTED

