



Current Issues and Outreach Committee Report/Minutes

Monday, August 12, 2013

10:15 AM

St. Pete Beach, Florida

COMMITTEE RECOMMENDATIONS: None

BOARD RECOMMENDATIONS: None

ASSOCIATION ACTIONS: None

Committee Participants:

Committee Members Present: Members present: Jennifer Godwin, Tim Darden, Tim Lyons, Richard Ten Eyck, Meagan Davis, Chad Linton, Sam Davis, Eric Nelson and Ali Kashani

Committee Members Absent: Miriam Johnson, Donna Dicesare, Caleb Michaud, April Wilcox, Nate Bartz, Steve Gramlich, Kent Kitade and Isabel Pocerull

Committee Advisors Present: Kristi Krafta, Scott Ringger, Ed Rod, Bryan Rudolph, Dave Ailor, David Meeker and Kurt Gallagher

Committee Advisors Absent: Dave Dzanis, Ben Morgan and Matt Gibson

Committee Report/Minutes: With approximately 290 attendees, the following four major topics were presented and discussed at the above Current Issues and Outreach committee meeting: 1. Laboratory Accreditation, 2. Practices to Help Standardize State Product Registration 3. Organic Pet Food and Livestock Feed, 4. FDA Updates.

1. Laboratory Accreditation

Dr. Bill Hirt, Director of Accreditation, ANSI-ASQ National Accreditation Board stated that over two and a half dozen state agricultural laboratories are in the process now of developing accreditation programs for ISO 17025 testing. Many of them have a very modest understanding of the nature or the value of accreditation. They have confidence in their technical capabilities and ability to provide their departmental services, but they don't yet have the sense of international status. Dr. Hirt's presentation was designed to help the attendees appreciate the framework and confidence that accredited laboratories bring to the broad international community. The role of ISO, ILAC, oversight and continual improvement were reviewed. Dr. Hirt emphasized that accredited laboratories do not simply meet their job and state regulatory requirements. They also help build confidence in the global technical and trade community.

2. Practices to Help Standardize State Product Registration

Ms. Debra Roehrig, Regulatory Specialist with Nestle Purina PetCare, representing Pet Food Institute, described difficulties the registering firms have with states using various formats and

forms for product registration. Different formats and software can create numerous problems for industry, when there is a short time to be in compliance with regulations. Ms. Roehrig asked for volunteers from several states to describe their process and their future plans. Willingness by states to allow industry to provide input as new product registrations requirements are put in place will help both the industry and the regulators to implement a well-thought and efficient process for their mutual benefits. She further proposed to form a workgroup so that the compliance process of registration between states and industry have a better understanding of what is involved in a productive time-frame. Chad Linton of West Virginia Department of Agriculture, Stan Cook of Missouri Department of Agriculture and Robert King, Hill's Pet Nutrition were also on a panel with Ms. Roehrig, supporting the work group.

3. Organic Pet Food and Livestock Feed

Ms. Emily Brown Rosen, Specialist, Standards Division of the USDA-Agriculture Market Service – National Organic Program (NOP) spoke on labeling aspects of organic pet food and livestock feed. Regulations on NOP are published at 7 CFR, Part 205, initially implemented in October of 2002 with many amendments incorporated since then. The NOP also publishes guidance documents on their website as part of the Program Handbook (www.ams.usda.gov/nop) : and has one posted called Evaluating Livestock Feed Ingredients (NOP 5030). Sale of organic products has jumped from \$9 billion in 2002 to \$31.4 billion in 2011. Following are the major roles of NOP: develop and maintain organic standards, accredit and oversee third party organic certifying agents (who certify organic farms and businesses), investigate complaints of violations, manage the National Organic Standards Board (a citizen advisory committee), oversee 25,000 certified organic operations. All agricultural products labeled as organic in the U.S. must follow the USDA organic regulations.

Requirements for livestock operations are governed by organic system plan including: provide access to the outdoors and good living conditions year-round, and use of 100% organic feed. Antibiotics, growth hormones, slaughter byproducts as feed, and genetic engineering are not allowed. The organic status of all animals must be documented and ruminants must have access to pasture during the grazing season: 30% of the animal's dry matter intake must come from pasture and grazing season must be at least 120 days.

Agricultural commodities in feed must be organic. Natural materials (if FDA approved) are allowed as feed additives and supplements. Any synthetic substance must be on the national list, for the intended use. All feed sold as organic must be certified. The national list of allowed and prohibited substances is part of the organic regulations. The national list includes synthetic substances which are allowed and natural substances which are prohibited. The national list has separate sections for crops, livestock, and handling/food processing. All substances are reviewed by the National Organic Standards Board. The Board makes recommendations on substances to the USDA. Natural (non-synthetic) substances allowed include oyster shell, direct fed microorganisms (probiotics) such as *Bacillus*, *Apergillus*, *Lactobacillus*, yeast. All must be from non-GMO sources. Fish meal (without synthetic preservatives) is permitted.

Approved synthetic substances include vitamins and minerals (must be FDA approved forms), DL-methionine for poultry at maximum 2 pounds per ton for layer and broiler feed and 3 pounds per ton of turkey and other poultry feed. No other amino acids are permitted for poultry or livestock. Agricultural substances must be organic, including wheat middlings, rice hulls, molasses, vegetable oil, and kelp. Sub-ingredients of an individual vitamin and mineral do not need review (see guidance published in the NOP Program Handbook – NOP 5030 Evaluating

Livestock Feed

The following slaughter by-products are prohibited under organic program and may not be fed to mammals or birds: bone ash, bone charcoal, bone phosphate, bone charcoal – spent, bone meal steamed, bone meal – cooked, hydrolyzed fat. The following feed additives are also prohibited: plastic pellets, manure or urea, animal drugs, including hormones, antibiotics to promote growth, synthetic preservatives (BHT, ethoxyquin, calcium propionate, potassium sorbate), mineral oil and yellow prussiate of soda.

The following requirements governed by an Organic System Plan for processors and handlers would also apply to feed manufacturers: prevent the commingling or contamination of organic products by non-organic products during processing, prevent pests using only approved practices, use certified organic agricultural ingredients in organically-labeled products, use only approved label claims, not use irradiation or genetically engineering crops or organisms.

There are two labeling categories for organic livestock feed:

- “100% Organic”, means all ingredients and additives, including processing aids are organic (water and salt excluded from calculation).
- “Organic”, all agricultural ingredients must be organic, others may be natural substances, or synthetic substances on the national list at 205.603 (substances allowed for livestock). There is no minimum % of organic content required in feed. Vitamin and mineral mixes with minimal agricultural content *may* be certified, if not certified, content must be verified by certifiers before use by farmers. Agricultural carriers and additives must be organic.

The statement “certified organic by ---- agency” is required and the named agency must be accredited by USDA NOP. The above phrase must appear on information panel below name of manufacturer or distributor. Following are optional: the word “Organic” or asterisk linking to term, to identify all organic ingredients, the term “100% organic” or “Organic” to modify the name of the feed product, use of the USDA seal and use of a certifier seal. The following statements are not permitted: the claim “Made with Organic Ingredients”, identifying salt or water as organic and use of certifier seal that is more prominent than USDA seal if both are present.

No specific regulations have been adopted at present for organic pet food by NOP, however the USDA permits certification and sale of pet food as organic. The agency has received recommendations from an industry Pet Food Task Force, and the National Organic Standards Board. Regulations are in process of being drafted. Following is the current status quo for pet food: certifiers are applying human food processing standards, pet food can qualify for food labeling categories, “100% organic”, “Organic” - at least 95% organic, “Made with (specified) Organic Ingredients” - at least 70% organic, specific organic ingredients – not certified, but contains identified organic ingredients.

A pet food label may state “100% Organic”, if all ingredients, all processing aids and all additives are organic and they are certified.

A pet food label may state “Organic”, if 95% of ingredients are organic and the other 5% can be: nonsynthetic substances, synthetic substances on National List (205.603(d) or 205.605), agricultural items on National List (205.606*) if not available in organic form. Examples: FDA approved vitamins and minerals, tocopherols, lecithin*, guar gum*, cornstarch*

A pet food label may state “Made With Organic (Specified Ingredients)”, when minimum of 70% of ingredients are organic and the other 30 % are substances on the National List and/or non-organic agricultural substances; these must be non GMO and not irradiated, and produced without sewage sludge. Labels with “Made with Organic” claim can identify up to 3 items or can identify up to 3 food groups – for example made with organic grains, meat, and poultry. All identified ingredients (or member of identified group) **MUST** be organic. The label cannot have organic and non-organic forms of ingredient identified in claim. For example if “Made with Organic Carrots” – all carrots must be organic.

Pet food product labels that only lists organic ingredients are not required to be certified, may have less than 70% organic ingredients, and may identify ingredients as organic only in the **ingredients list** with no limits on other ingredients. However they must have records to verify, and there must not be front panel or other organic claim, with no use of USDA seal and **cannot** say “Made with Organic Ingredients”.

Under current food standards, other nutrients are allowed “Vitamins and Minerals, in accordance with 21 CFR 104.20, Nutritional Quality Guidelines for Food”. Although a NOP proposed rule of January 2012 clarified that some additional nutrients (including taurine, l-carnitine, l-methionine have been incorrectly allowed, final rule making is needed to clarify which minerals and vitamins are allowed in human food. Organic pet food regulations are in the development state and will be based on National Organic Standards Board recommendation, and will specify which amino acids are permitted. The NOSB has recommended that taurine be permitted for dogs and cats. . The regulations will be issued as proposed draft rule for public comments followed with final rule, with implementation periods specified.

The NOP publishes helpful information on its website: www.ams.usda.gov/nop , including links to the organic regulations and guidance, lists of approved certifiers, and a database of certified operations that is annually updated. There are also fact sheets on many topics, and contact information for reaching the NOP. One can also sign up on the website for “the NOP Insider”, an e-mail newsletter that provides updates on all changes and latest news.

4. FDA Update

Mr. Eric Nelson, Division Director, Center for Veterinary Medicine/Office of Surveillance and Compliance of Division of Compliance gave an update of his agency. Among topics Mr. Nelson discussed were FSMA draft proposed rules, the recent compliance policy guide for *Salmonella* in food for animals, animal feed regulatory program standards, veterinary feed directive and medically important antimicrobials.

The meeting was adjourned at about 12:00 pm.

Actions: A workgroup composed of representatives from industry and regulators will be formed so that the compliance process of registration between states and industry have a better understanding of what is involved in a productive time-frame. Details will be reported back at the AAFCO Midyear meeting in January, 2014.