Welcome to the Kansas Food Protection Task Force Annual Meeting
June 13, 2019
Manhattan, Kansas
Goals of the FPTF

• Continue to organize Food Protection Task Force meetings and produce a quarterly newsletter.
• Target hard-to-reach stakeholders
• Foster communication, cooperation and collaboration within the state among federal, state, and local food protection, public health, agriculture, and regulatory agencies, academia, and other interested parties.
Food Safety and Lodging Program Update
Steve Moris, Program Manager
Hemp in Feed

Ken Bowers, Technical Specialist

Kansas Department of Agriculture
Feed Regulations

• Kansas Department of Agriculture (KDA)
  – Commercial Feeding Stuffs Law

• U.S. Food and Drug Administration (FDA)
  – Code of Federal Regulations, Title 21
Feed Ingredients

• Association of American Feed Control Officials (AAFCO) Official Definition

• Generally Recognized as Safe (GRAS)

• Food Additive Petition (21 CFR 572)

• Common or usual
Feed Ingredients

• Association of American Feed Control Officials (AAFCO) Official Definition

• Generally Recognized as Safe (GRAS)

• Food Additive Petition (21 CFR 572)

• Common or usual
AAFCO

• Official Publication, Chapter 6
• Ingredient Definitions Committee
• Voted on by Membership
• MOU with FDA
• Adopted by Reference
Feed Ingredients

• Association of American Feed Control Officials (AAFCO) Official Definition

• Generally Recognized as Safe (GRAS)

• Food Additive Petition (21 CFR 572)

• Common or usual
GRAS

• Generally Recognized as Safe for Intended Use
  – Species
• Petition review by FDA
• Letter of No Questions from FDA
Feed Ingredients

• Association of American Feed Control Officials (AAFCO) Official Definition

• Generally Recognized as Safe (GRAS)

• Food Additive Petition (21 CFR 572)

• Common or usual
Food Additive Petition

• Code of Federal Regulations
  – 21 CFR 573

• Reviewed and approved by FDA

• Describes required conditions for use
Feed Ingredients

• Association of American Feed Control Officials (AAFCO) Official Definition

• Generally Recognized as Safe (GRAS)

• Food Additive Petition (21 CFR 572)

• Common or usual
Common or Usual

• Official definition not required
• Blueberry, Apple, Wheat, Corn
Hemp

- *Cannabis sativa L*
  - <0.3% THC
- Cannabidiol (CBD)
- Delta-9-tetrahydrocannabinol (THC)
Hemp

- No approved hemp or hemp-derived feed ingredients for animal feed
- GRAS approvals for human food
- CBD and THC considered drugs in animal food
Questions

Ken Bowers, Technical Specialist
Ken.Bowers@ks.gov

George Blush, Division Director
George.Blush@ks.gov
Produce Safety Rule

Who is Exempt and What is a Qualified Exemption?
Which regulation is my produce or food products covered under?

**FARM**
I grow, harvest and pack produce on my farm.

- I ONLY grow produce that is rarely eaten raw.
- SOME of the produce I grow is likely to be eaten raw.
- My average annual produce sales are LESS THAN $25,000.
- My average annual produce sales are AT LEAST $25,000.

- NONE of your produce is covered under the PRODUCE SAFETY RULE.
- At least SOME of your produce IS covered under the PRODUCE SAFETY RULE.
- Your processed food products ARE covered under the PREVENTIVE CONTROLS RULE.
- Your packing activities ARE covered under the PRODUCE SAFETY RULE.

**PROCESSING FACILITY**
I process food.

- I also process food on my farm.

**PACKING OPERATION**
I pack fresh produce at a location that is **not** a farm.

- MORE THAN 50% of the produce I pack is grown on farm(s) under a different ownership than my packing house.
- 50% OR LESS of the produce I pack is grown on farm(s) under a different ownership than my packing house.
Yikes! That’s complicated!

Start with the basic question: Do I sell food?

• For people [Keep Going]
• For animals [Stop Contact Dairy and Feed Safety]
The food I sell is a…..

- Raw, unprocessed agricultural product
  - Live animals (not pets)
  - Grain
  - Honey
  - Fresh fruits and vegetables
  - Live plants
    - Sprouts, shoots or microgreens?
    - Other live plants

- Processed product
  - Baked items
  - Cooked food
  - Cut produce
  - Honey with added flavors
  - Infused oils, vinegars, beverages, etc.
  - Processed meat

Stop: Contact KDA Animal Health
Stop: Contact KDA Grain Warehouse
Stop: Contact KDA Food Safety and Lodging
Stop: Contact KDA Plant Protection
Stop: Contact KDA Food Safety and Lodging to see if you need a food establishment or food processing license
Stop: Contact KDA Meat and Poultry
Is the produce I sell commonly eaten raw?

- Yes [Keep Going]

- No
  - Produce on the following exhaustive list: Asparagus; beans, black; beans, great Northern; beans, kidney; beans, lima; beans, navy; beans, pinto; beets, garden (roots and tops); beets, sugar; cashews; cherries, sour; chickpeas; cocoa beans; coffee beans; collards; corn, sweet; cranberries; dates; dill (seeds and weed); eggplants; figs; ginger; hazelnuts; horseradish; lentils; okra; peanuts; pecans; peppermint; potatoes; pumpkins; squash, winter; sweet potatoes; and water chestnuts

Stop: Exempt
The amount of produce I sell is....

- Less than $25,000 per year
  - Stop: Exempt
  - Keep records to support the exemption (3 years of tax returns or sales receipts)

- More than $25,000 per year
  - Keep Going
I sell my produce to...

• The consumer of the food

• Another business

• A little of both

Keep Going: you **may** be eligible for a Qualified Exemption
Selling produce to another business

- Is the produce going for further processing, like a cannery?

**Stop:**
Eligible for a Qualified Exemption
Produce sold must include documentation stating that the food is “not processed to adequately reduce the presence of microorganisms of public health significance”

- Is the produce going to a broker or auction house?

**Keep Going**

- Is the produce going to a grocery store or restaurant?

**Keep Going**
I sell less than $500,000 in food sales per year AND a majority of the food is sold to a qualified end user?

- **What counts as a food sale?**
  - Produce, grain for human or animal consumption, animals raised for human food, dairy products, farm processed food products

- **What is a qualified end user?**
  - The consumer of the food
  - A restaurant or retail food establishment (does not include re-sellers) that is located
    - In the same state or the same Indian reservation as the farm that produced the food
    - Not more than 275 miles from such farm

**Yes**

Stop: Eligible for a Qualified Exemption
You must comply with modified requirements of the produce safety rule and keep documentation

**No**

Stop: You are fully covered by the Produce Safety Rule
So – I’m qualified exempt….now what?

No Farm is exempt from the responsibility to produce safe food

• A Qualified Exempt Farm must include its name and complete business address on either a food packaging label on the produce, on a sign that is displayed at the point of sale with the produce, on documents delivered with the produce in the normal course of business, or an electronic notice in an internet sale.
Can I lose my exemption or qualified exemption?

YES

• If you change what you are doing
  – Start growing something commonly eaten raw
  – Start selling to someone other than a processor
  – Business is booming and you are making more money

• If your farm is implicated in a foodborne illness outbreak, you will be subject to the full provisions of the Produce Safety Rule
Should I be afraid of being covered by the Produce Safety Rule?

No

- We are here to help
  - Classes and workshops
  - Templates and info sheets
  - On-Farm Readiness Reviews
  - Assistance with writing on-farm food safety plans
Questions?

Carly Tyler
785-564-6765
Carly.tyler@ks.gov
agriculture.ks.gov/foodsafety
References and Helpful Information

- https://www.fda.gov/media/94332/download
- https://www.ksre.k-state.edu/foodsafety/produce/
- https://www.fda.gov/media/94332/download
- http://sustainableagriculture.net/fsma/learn-about-the-issues/qualified-exemptions-and-modified-requirements/
Pathogen Control 101 (or less)

Fire Kills Everything

This Photo by Unknown Author is licensed under CC BY-SA
What, Us Worry?

• Pathogens
  – Viruses
  – Bacteria
  – Parasites
What do we do?
One Goal, Different Paths

• Food Code Interventions
• Preventive Controls
  – Human Food
  – Animal Food (Feed)
Food Code Interventions

• Let’s look closer at one path...
Staphylococcus aureus
Staphylococcus aureus
enterotoxin
Salmonella species
Clostridium perfringens
Clostridium perfringens
spores
Clostridium botulinum
spores
Vibrio species
Shigella species
Bacillus cereus
Bacillus cereus
spores
Listeria species
Yersinia enterocolitica
Campylobacter jejuni
Shiga-toxin producing strains of Escherichia coli
Viruses
Seafood and mushroom toxins
Appendix 1: Potential Hazards for Foods and Processes

Appendix Organization

This appendix contains information on the potential biological, chemical, and physical hazards that are food-related and process-related. The potential hazard information presented covers the following 17 food (including ingredients and raw materials) categories:

- Bakery
- Beverages
- Chocolate and Candy
- Dairy
- Dressings and Condiments
Contains Nonbinding Recommendations

Control of *Listeria monocytogenes* in Ready-To-Eat Foods: Guidance for Industry

*Draft Guidance*

This guidance is being distributed for comment purposes only.

Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that FDA considers your comment on this draft guidance before we begin work on the final version of the guidance, submit either electronic or written comments on the draft guidance within 180 days of publication in the *Federal Register* of the notice announcing the availability of the draft guidance. Submit electronic comments to [http://www.regulations.gov](http://www.regulations.gov). Submit written comments to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. All comments should be identified with the docket number FDA-2007-D-0494 listed in the notice of availability that publishes in the *Federal Register*.

For questions regarding this draft document contact the Center for Food Safety and Applied Nutrition (CFSAN) at 240-402-1700.

U.S. Department of Health and Human Services
Food and Drug Administration
Center for Food Safety and Applied Nutrition
January 2017

https://www.fda.gov/media/102633/download
Discussion

- What is your biggest challenge with pathogen control?
- How can the FPTF help?
Kansas Value Added Foods Lab

Dr. Fadi Aramouni
Kansas State University
aramouni@ksu.edu
Information Sharing

For those on the weblink, use the chat feature to ask questions.