
Commercial Feed Program

2023 Annual Report

01/23/2024

Minnesota Department of Agriculture
625 Robert Street North
Saint Paul, MN 55155-2538
651-201-6062

In accordance with the Americans with Disabilities Act, this information is available in alternative forms of communication upon request by calling 651-201-6000. TTY users can call the Minnesota Relay Service at 711. The MDA is an equal opportunity employer and provider.

Contents

- Food and Feed Safety Division Vision Statement 1
- Commercial Feed Program Overview 1
- Program Resources 1
 - Staffing 1
 - Additional Resources 2
 - Budget 2
- Commercial Feed Program Annual Highlights 2
 - Standards Implementation 2
- Collaborations with Regulatory and Industry Partners 2
 - Animal Feed Regulatory Program Standards 2
 - US Food and Drug Administration/Center for Veterinary Medicine 2
 - Association of American Feed Control Officials 3
 - Minnesota Food Safety and Defense Task Force 3
 - Laboratory Flexible Funding Model/MDA Laboratory Services Division 3
 - HPAI Incident Management Team 3
 - MDA Plant Protection Division 3
 - Minnesota Academia and Industry Associations 3
- Inspections/Investigations 3
- FDA Contract Inspections and Sampling for the Laboratory Flexible Funding Model 4
- Commercial Feed Program Priorities and Planned Activities 5
- Resources 6

Food and Feed Safety Division Vision Statement

Be a leader of quality food and feed safety programs through meaningful engagement with other regulatory agencies, regulated industries, academia, and the public to equitably protect human and animal health in Minnesota.

Commercial Feed Program Overview

The Commercial Feed Program (CFP) is one of the programs within the Food and Feed Safety Division (FFSD) of the Minnesota Department of Agriculture (MDA). The program regulates commercial feed so that purchasers of commercial feed are protected, the health of animals consuming the feed is assured, industry is subject to uniform and fair conditions of regulation, public confidence in the feed/food chain is maintained, and orderly commerce is ensured. This is done by licensing, small package pet and specialty pet food registrations, conducting risk-based inspections under state authority as well as under U.S. Food and Drug Administration (FDA) authority. The Program also conducts surveillance inspections, compliance follow-up inspections, complaint investigations, emergency response/investigations, sampling, label reviews, recall effectiveness checks, audits, and issues Good Manufacturing Practices Certificates and Free-Sale Certificates for export, along with providing outreach.

The CFP has built a quality regulatory program through its implementation of the Animal Feed Regulatory Program Standards (AFRPS). The program started implementation of AFRPS in 2014 and was found in full conformance by FDA in 2019. It continued to maintain that status in 2021 and 2023. This complements the desire for an Integrated Food Safety System (IFSS), and promotes program consistency through enhanced inspection training, stronger laboratory services, effective emergency response, and strengthened outreach.

The AFRPS is a set of national standards establishing uniform foundation for the design and management of state programs responsible for the regulation of animal food. Through implementing the feed standards, a state's program will be better able to achieve and maintain programmatic improvements that help ensure the safety and integrity of the U.S. animal food supply. A state's implementation of the feed standards also helps to ensure a uniform and consistent approach to animal food regulation among jurisdictions. The goal of the standards is to leverage resources and share common successes to build systems within state regulatory feed programs.

Program Resources

Staffing

The CFP, along with the division's support units, carry out the responsibility of the program by maintaining accurate inventories of regulated entities, assessing conformance to the AFRPS, responding to food and feed safety incidents, and determining and administering enforcement activities. In working together, the program can achieve their goals as well as meet the division principles.

Additional Resources

Electronic data systems are key to capturing the results of the regulatory work to allow for seamless communication and access to information across the division. The FFSD uses a program called USA Food Safety to maintain the inventory of regulated firms and report the results of inspections. This provides for efficient management of inspection data (official records, compliance actions) and summary results, allowing for data-driven decision making, such as compliance actions based on violation trending. The CFP also has access to all the equipment needed for inspectors to perform the functions of their job. You may use the hyperlink here: [Find Your Inspector Tool](#) to locate the inspector in your area.

Budget

CFP activities are largely funded through dedicated funds. The fees for commercial feed licenses and small package pet and specialty pet food registrations are deposited in the Feed Dedicated Fund which allows for a mostly self-funded program. Federal funding through cooperative agreements supports the on-going maintenance of a quality management system covering inspections, training, enforcement, and auditing systems. These agreements also fund continuous improvement special projects and establishment of collaborative programs that support an Integrated Food Safety System. The program also receives funding from inspections conducted under contract on behalf of the FDA at select locations that are under the jurisdiction of both parties.

Commercial Feed Program Annual Highlights

Standards Implementation

This year as part of the 2023 update to the AFRPS requirements were added to ensure that programs are accounting for Preventive Control inspections. Due to the program's quality management system and continuous improvement process all the required changes had been implemented ahead of the standards change. Additionally, during the interval 5 audit with the FDA, the program was found to be fully implemented in all 11 of the AFRPS for the third consecutive time.

Collaborations with Regulatory and Industry Partners

Animal Feed Regulatory Program Standards

The AFRPS are a critical component in establishing the national Integrated Food Safety System, working towards the goal of a nationally integrated, risk-based, feed safety system, with contributions from State and Federal partners, focused on protecting animal and human health.

US Food and Drug Administration/Center for Veterinary Medicine

FFSD leadership signed a Partnership Agreement with the FDA in March 2022. This Partnership Agreement will enhance Domestic Mutual Reliance to enable the FDA and state agencies with comparable regulatory public

health systems to rely on, coordinate with, and leverage each agency's work, data, and actions to meet the public health goal of a safe national human and animal food supply.

Association of American Feed Control Officials

A majority of the program staff are involved in the Association of American Feed Control Officials (AAFCO) as ingredient investigators, committee members or leaders, and board members. They are also often called upon to provide training to AAFCO members and plan national events. The program participates and leads regional calls with other state feed regulators to continue to serve the program and AAFCO's mission.

Minnesota Food Safety and Defense Task Force

Program staff regularly attend and give needed updates to the Minnesota Food Safety and Defense Task Force (FSDTF) which is a team of regulatory and industry members working together to improve food and feed safety within Minnesota.

Laboratory Flexible Funding Model/MDA Laboratory Services Division

With cooperation from the Minnesota Department of Agriculture Laboratory Services Division the program participates in the U.S. Food and Drug Administration's Laboratory Flexible Funding Model Cooperative Agreement Program (LFFM). The program's role is to plan, provide, and report on samples collected from regulated industry to support the Integrated Food Safety System nationally.

HPAI Incident Management Team

Multiple staff are involved in the incident management team for the High Pathogenic Avian Influenza (HPAI) disease outbreak. This was done in partnership with other Agency staff, the Minnesota Board of Animal Health, and the United States Department of Agriculture.

MDA Plant Protection Division

The program collaborated with the Minnesota Department of Agriculture Plant Protection Division on a pilot sampling study. The work was centered around understanding the risk of Palmer Amaranth in Minnesota and providing that information to industry.

Minnesota Academia and Industry Associations

The program maintains a strong relationship with, and regularly holds events and trainings at the request of, industry and universities. Examples include Minnesota Grain and Feed Association, National Grain and Feed Association, American Feed Industry Association, National Animal Supplement Council, and the University of Minnesota.

Inspections/Investigations

In addition to routine inspections, program inspectors conduct follow-up inspections (to ensure compliance with more significant violations), sample collection, complaints, and animal food safety investigations.

Conducting on-time inspections is a priority for the program. The timeliness of a regulatory assessment in a facility helps to ensure that the feed safety systems established and implemented by the facility accurately address the hazards and risks within the operation, and that they are sufficient in controlling the hazards. The program has worked diligently over the last several years to reduce the inspection delinquency rate and was able to complete 100% of their inspections on time for FY2023.

Information provided in the table below demonstrates the variety of activities conducted by the feed program. Estimations in the third column of Table 1 below, are based on staff observations, building metrics, and initiating data recording within the 2023 year.

Table 1: Commercial Feed Program Activities

Program Activities	Actions	Average per Year
Inquiries	Inquiry Responses	100
Incidents	Incident Responses	70
Complaints/Appeals	Complaint/Appeal Investigation	8
Licenses/Tonnage Applications	Licensure	2000
Licenses/Tonnage Applications	Audits	6
Licenses/Tonnage Applications	State Inspections	320
Product Registration	Licensure and/or Registration	12000
Product Registration	Label Review	450
Product Registration	Audits	20
Product Registration	Label Surveillance Investigations	12
Found in Distribution	Investigation/Enforcement	40
cGMP Certification Requests	cGMP Inspection/Certification	5
Certificate of Free Sale Requests	License and Label Review w/Certification	110
Data requests	Freedom of Information Responses	2
Training/Education/Outreach Requests	Outreach Events	20

FDA Contract Inspections and Sampling for the Laboratory Flexible Funding Model

The FDA benefits from contracting inspections and sampling by completing their objectives mandated by Congress to support better food and feed safety throughout the nation. State and federal programs benefit by sustaining an ability to work and communicate more collaboratively on planned or unplanned occurrences. Licensed state entities benefit by their Federal and state regulators providing them consistent regulation

without duplication. The public benefits through safer animal food and feed products nationwide, along with greater business regulation compliance.

FDA sets a target for feed regulation to achieve their objectives mandated from congress that is greater than FDA resources can provide. The contract negotiations provide gains in mutual reliance with the state as well as overall regulation nationwide. Along with the assignments other metrics are measured to monitor contract performance and quality. These requirements are laid out in Statement of Work documents.

The program is also collecting feed samples for the MDA Laboratory Services Division to meets its requirement under the Laboratory Flexible Funding Model Cooperative Agreement with FDA. This cooperative agreement is intended to enhance the capacity and capabilities of state animal feed testing laboratories in support of an integrated food safety system.

Information provided in Table 2 below demonstrates the contract activities conducted by the feed program as well as what the program collected for the Laboratory Flexible Funding Model for the Lab.

Table 2: Program Contract Activities

Program Activities	Actions	Average per Year
FDA Contract	FDA Inspections	40
FDA Contract	Audits	6
FDA Contract	Reports	4
LFFM Contract	Sample Investigations	140

Commercial Feed Program Priorities and Planned Activities

The CFP plans in the upcoming year to participate and complete the following activities:

- Conduct a Pilot Sampling Study in collaboration with the Plant Protection Division and the feed industry to better understand the risk landscape in the feed supply regarding Palmer amaranth, a Noxious Weed that has been found in the state.
- Support and participate in the Incident Management Team with the Minnesota Board of Animal Health working in response to the impacted sites found to have Highly Pathogenic Avian Influenza. Support the work of the team in sampling, biosecurity, and minimizing or eliminating the pathogen.
- Conduct program wide strategic planning with the goal of building plans and activities that better achieve our three-to-five-year goals, and enhance/support the One Minnesota Plan and the MDA’s Strategic Plan.
- Successfully hire positions that have been identified as needed for continued success of the program and backfill those that have recently become available. This includes an Agriculture Advisor or Specialist position that supports the program in sample coordination and a position that would support certification and contract management as a Feed Analyst.
- Continue to act upon our program and division outreach goals and continue to provide trainings that the serve and meet the Minnesota feed industry needs.

- Meet all contract requirements/obligations for the FDA and continue to enhance the relationship through activities outlined in the Partnership Agreement with the FDA.
- Meet all our sampling requirements for the Minnesota State Laboratory and FDA regarding the Laboratory Flexible Funding Model.
- Continue to stay fully implemented in the AFRPS as we hire, train, and enhance the program.
- Enhance the Certificate of Free Sale Process for Animal Food utilizing new technology and electronic means of application or payment.
- Continue to support our industry and the American Association of Feed Control Officials through our participation of various roles in the organization and continued support on all levels of communications.
- Continue to explore new means of data analysis, improve in our data accuracy, and build new means of reporting on meaningful data that can help the program inform and decide.

Resources

- [Minnesota Commercial Feed Law](#)
- [Commercial Feed Program](#)
- [Pet Food Program](#)
- [Certificate of Free Sale for Animal Feed](#)