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# Commercial Feed Program Annual Report

Fiscal Year 2024

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## 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 through licensing, small package pet and specialty pet food registrations, and conducting risk-based inspections under state authority and U.S. Food and Drug Administration (FDA) authority. The program also conducts surveillance inspections, compliance follow-up inspections, compliance investigations, emergency response/investigations, sampling, label reviews, recall effectiveness checks, audits, and issues Good Manufacturing Practices (GMP) Certificates and Free-Sale Certificates for export, along with providing outreach.

The CFP has built a quality regulatory program through implementation of the Animal Feed Regulatory Program Standards (AFRPS). The program started implementation of AFRPS in 2014 and was found in full conformance by the 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 animal food regulation. 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 operations units, carry out the program responsibilities by maintaining accurate inventories of regulated entities, assessing conformance to AFRPS, responding to feed safety incidents, and determining and administering enforcement activities. In working together, the program can achieve its goals as well as meet the division principles.

## Data Systems and Tools

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 [Find Your Inspector Tool](#) to locate the inspector in your area.

## Program Funding

The CFP activities are largely funded through fees from licenses, inspections through tonnage, and product registrations. Program fees are maintained in the Agricultural Fund Commercial Feed inspection account. The program also receives funding from the FDA for inspections conducted at selected locations. Federal cooperative agreement funding also supports the ongoing 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 IFSS.

## Collaborations with Regulatory and Industry Partners

### Animal Feed Regulatory Program Standards (AFRPS)

The CFP is enrolled in the AFRPS. This program sets a standard for state programs that will allow their work to be interchangeable with FDA. In 2024 the CFP maintained compliance with the standards through document reviews, audits, department evaluations, and attendance at national meetings. The FDA will conduct a formal audit in 2025 to determine the continued implementation status of the CFP. 2025 will be the fifth and final year of the current grant. The CFP plans to continue using the standards after the end of the grant as a tool to maintain the high quality of the inspection program.

The AFRPS focus includes:

- Standard 1 - Regulatory Foundation
- Standard 2 - Training Program
- Standard 3 - Inspection Program
- Standard 4 - Audit Program
- Standard 5 - Animal Food-Related Illnesses or Death and Emergency Response
- Standard 6 - Compliance and Enforcement Program
- Standard 7 - Outreach Program
- Standard 8 - Program Planning and Resources
- Standard 9 - Assessment and Improvement
- Standard 10 - Laboratory Services
- Standard 11 - Sampling Program

## **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 (AAFCO)**

Many program staff are involved in the AAFCO.

AAFCO has been guiding state, federal, and international feed regulators with ingredient definitions, label standards, and laboratory standards for more than 110 years, while supporting the health and safety of people and animals. The members of AAFCO are volunteers from state feed control programs across the United States, Canada, and Puerto Rico

In the U.S., feed regulations are enforced by state and federal regulatory officials who provide subject matter expertise in animal science, animal nutrition, feed label compliance, field operations for inspection staff and program administration. AAFCO provides a forum for these regulatory officials to come together and create model guidance to ensure that the regulation of animal feeds is as uniform as possible from state to state.

The MDA actively participates in AAFCO committees, contributing to discussions and decision-making processes. This involvement includes roles as ingredient investigators, committee members or leaders, and board members. Additionally, MDA is frequently called upon to provide training to AAFCO members and organize national events. The program also leads regional calls with other state feed regulators, supporting both the program's goals and AAFCO's mission. At the 2024 Annual Meeting, the Pet Food Regulatory Staff were recognized for their national efforts in Pet Food Modernization.

## **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 the Minnesota Grain and Feed Association, National Grain and Feed Association, American Feed Industry Association, National Animal Supplement Council, and the University of Minnesota (U of M). Efforts include regular CFP staff presentations for U of M veterinary school students.

## **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, academia, non-profits, consumers, and industry members working together to improve food and feed safety within Minnesota.

## **Minnesota Department of Agriculture: Internal Collaborations and Partnerships**

### **FFSD and Dairy & Meat Inspection Division Certificate of Free Sale Process Update**

The Commercial Feed Program (CFP) has transitioned from a paper-based mailing process to an online system for Certificate of Free Sale and GMP Certificate requests. This change aligns with FFSD and Dairy and Meat Inspection Division (DMID) food processes, offering customers a quicker, more efficient way to access resources, request certificates for exporting products, and receive them in a timely manner.

### **Laboratory Flexible Funding Model/MDA Laboratory Services Division**

With cooperation from the Minnesota Department of Agriculture Laboratory Services Division, the program participates in the FDA 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 IFSS 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**

In 2023, CFP partnered with the Plant Protection Division to develop a regulatory approach that clearly defines the shared responsibilities between the Plant Protection Division's Noxious Weed and Seed Programs and the FFSD Commercial Feed Program within MDA. This collaboration aims to strengthen the oversight of noxious weed control through screenings, as outlined in the Minnesota Screenings Act (MS 21.72), and improve the regulation of animal feed products.

A pilot program for Palmer amaranth in feed took place in the fall of FY23 and FY24, with no viable Palmer amaranth seeds discovered. FY25 will mark the third year of the pilot program.

## **Commercial Feed Program Activities**

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.

Information provided in the table below demonstrates the variety of activities conducted by the feed program. Estimations in the second column, are based on staff observations, building metrics, and initiating data recording within the 2024 year.

**Commercial Feed Program Activities**

<b>Program Activity</b>	<b>Average per Year (est.)</b>
Inquiry Responses	100
Incident Responses	15
Complaint Investigations	14
Appeals	0
Licensure	2000
Tonnage Reviews	199
State Inspections	320
Registrations	1955
Label Review Inspections/ Reinspection	600
Label Courtesy Reviews	30
Retail Surveillance Inspections	25
Unlicensed Products Found in Distribution	1200
GMP Inspection/Certification	3
License and Label Review w/Certification	89
Outreach Events	33

**FDA Contract Inspections and Program Sampling**

The FDA benefits from contracting inspections and sampling by completing its 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 from consistent state and federal regulation without duplication. The public benefits through safer animal food and feed products nationwide, along with greater business regulation compliance.

FDA sets targets for feed regulation that exceed the resources available to them, and contracting helps establish mutual reliance with the state and strengthens nationwide regulation. Additionally, other metrics are used to monitor contract performance and quality, as outlined in Statement of Work documents.

The program also collects feed samples for the MDA Laboratory Services Division to meet its requirements under the LFFM Cooperative Agreement with the 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.



## Commercial Feed Program Priorities and Planned Activities

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

- **Pilot Sampling Study**  
The CFP will conduct the third year of the Pilot Sampling Study in collaboration with the Plant Protection Division and the feed industry. This will help understand the risk to landscapes in the feed supply regarding Palmer amaranth, a noxious weed found in the state.
- **Support HPAI Response**  
The CFP will participate in the Incident Management Team with the Minnesota Board of Animal Health in response to sites impacted by HPAI. This support includes sampling, biosecurity efforts, and actions to minimize or eliminate the pathogen.
- **Strategic Planning**  
The CFP will conduct program-wide strategic planning to build activities that achieve the program's three-to-five-year goals. These activities will align with the One Minnesota Plan and the MDA's Strategic Plan.
- **Staffing and Hiring**  
The CFP will hire for essential positions to support the program's continued success and backfill recently vacated positions. This includes hiring a Pet Food Regulatory Official II to manage pet food label reviews.
- **Outreach and Training**  
The CFP will continue to pursue outreach goals by providing training sessions that meet the needs of the Minnesota feed industry. Planned activities include a continued partnership with the Vet Program at the University of Minnesota, participation in conference presentations, regional meetings, and other relevant activities.
- **FDA Contract Compliance**  
The CFP will meet all contract requirements and obligations for the FDA while working to enhance the relationship through activities outlined in the Partnership Agreement.
- **Sampling for Laboratory Flexible Funding Model (LFFM)**  
The CFP will meet all sampling requirements for the Minnesota State Laboratory and FDA under the LFFM.
- **Maintain AFRPS Implementation**  
In 2025, the CFP will undergo a formal audit from the FDA to determine the continued implementation status of the AFRPS. This year will also mark the fifth and final year of the current grant. Minnesota plans to continue using the standards after the end of the grant to maintain the high quality of the inspection program.

- **Continue Support of Online Certificate of Free Sale Process**  
The CFP will continue encouraging customers to transition to the new online Certificate of Free Sale application process.
- **Support AAFCO Participation**  
The CFP will continue supporting the feed industry and the AAFCO through active participation in various roles and ongoing communication efforts.
- **Data Analysis and Reporting**  
The CFP will explore new methods for data analysis, improve data accuracy, and develop better ways to report meaningful data. This includes conducting a study on valuable data for staff and creating a monthly report based on the study's outcomes.
- **Modernize Processes**  
The CFP will modernize processes to offer more convenient options to customers by transitioning to online application submissions. This will include moving Tonnage payments and Commercial Feed License applications to an online platform.

## Program Web Resources

- [Minnesota Commercial Feed Law](#)
- [Commercial Feed Program](#)
- [Pet Food Program](#)
- [Certificate of Free Sale for Animal Feed](#)
- [Certificate of GMP](#)
- [Association of American Feed Control Officials](#)

## Glossary of Acronyms:

- CFP – Commercial Feed Program
- HPAI – Highly Pathogenic Avian Influenza
- MDA – Minnesota Department of Agriculture
- AAFCO – American Association of Feed Control Officials
- FDA – Food and Drug Administration
- LFFM – Laboratory Flexible Funding Model
- AFRPS – Animal Feed Regulatory Program Standards
- DMID – Dairy and Meat Inspection Division