



OTSC Quarterly Newsletter



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Fumonisin Regulation in Texas

The Texas State Chemist published a regulatory notice of intent on September 17, 2018 involving fumonisin risk management. The Service adopted an educational approach involving fumonisin regulation for the 2018 harvest and commensurate with this activity is treating farmers as exempt from licensing and labeling requirements. On October 9, 2018 the Service expanded its action through a proposed repeal of the fumonisin rule



§61.61 (a)(7) published in the Texas Register. The justification for this latter action is several fold, including the availability of new testing equip-

ment for the Texas grain and feed industry to measure and manage this toxin. Additionally, firms subject to the Food Safety Modernization Act (FSMA) must address fumonisin as a hazard through their food safety plan. Consequently, the Texas Commercial Feed Rule for fumonisin was

duplicative. In the future, the Service will focus regulatory risk management where a serious adverse health consequence to animal or human health or death may result from fumonisin toxicity.

These actions align with many of the comments by industry in response to the FDA fumonisin guidance published in 2001. In particular, national association representatives focused on their need to have access to affordable rapid test kit technology to measure and manage fumonisin risk and the paucity of data to support FDA guidance levels for some animal classes.

The actions to repeal the fumonisin rule in TX will provide greater consistency between Texas and other states and FDA. It also aligns with the focus by industry and the regulatory community regarding the implementation of the Food Safety Modernization Act (FSMA). The regulatory requirements for fumonisin are found on the FDA website at <https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/ucm109231.htm>.

OTSC Advisory Committee Meeting Held October 5, 2018

The OTSC advisory committee met on October 5th. Discussion focused on fumonisin regulation, possible action involving a meta analysis of literature documenting fumonisin toxicity in different animal classes, impact of the one sample strategy to manage mycotoxin risk, industry compliance history, and a request by the fertilizer industry to expand the number of analytes tested by the lab.

The Texas feed and fertilizer industry continue to make progress in reducing their violation rate in feed and fertilizer. In the first month of the current fiscal year, feed and fertilizer violation rates were 10% and 5%, respectively and are down from 13% and 15% the preceding year.

Advisory committee members requested the State Chemist Office expand their analytical capability to include some fertilizer additive and amendment including: nitrogen stabilizers, humic acid, and microorganisms including *Bacillus*, *Glomus*, *Trichoderma* and possibly others. For microorganism, the focus will include shelf life concerns, storage practices, viability of the microorganisms and label guarantees. An action plan to address these requests will be developed in November, 2018 as part of the annual management review.



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Protects consumers & enhances Agri-Business through its Feed & Fertilizer Regulatory Compliance Program, surveillance & monitoring of Animal-Human health & environmental hazards, & preparedness planning.

OTSC Advisory Committee Meeting, Continued

The State Chemist budget is sound. The additional laboratory space will be ready for use at the beginning of 2019 and will position the agency to continue their strong service to ensure animal, human, and economic health of the feed and fertilizer industry.

Suzy Davis succeeded John Fritts as chair and Daniel Berglund was elected vice chair of the advisory committee. A complete list of the advisory committee is available on the OTSC website at: otscweb.tamu.edu under the tab labelled "About OTSC."

OTSC-TAMU AgriLife Research announces 2019 Proficiency Testing Program in Aflatoxin

Proficiency testing (PT) is a key component in managing aflatoxin risk in the global feed sector. When combined with regular use of reference material, participation in a PT program represents a key component of a laboratory quality system. PT programs enable the evaluation of laboratories for specific tests and may be used by individual labs and their accrediting body to monitor ongoing performance.

Since 2015, in order to assist feed laboratories around the world with assuring the quality of their test results, the Office of the Texas State Chemist (OTSC) has implemented an aflatoxin proficiency testing program. First initiated as part of the OTSC One Sample Strategy (OSS) program in 2011, the OTSC aflatoxin PT program provides a useful tool to assist Texas and the

global feed and food sector with managing aflatoxin risk. The program provides a unique insight into the global testing capability and enables a partitioning of performance by testing method and region. In 2017, OTSC became an accredited proficiency testing program and reference material provider. By 2018, approximately 140 laboratories worldwide participated in the PT program.

The OTSC is ISO/IEC 17025 accredited for aflatoxin analysis using the ELISA and Fluorometric Test Kits and HPLC and UHPLC platforms and ISO/IEC 17043 and ISO 17034 accredited for conducting proficiency testing and producing reference material, respectively. For more information on the OSS and PT programs including registering for the program, visit our website (<http://otscweb.tamu.edu> and <http://pt.tamu.edu>).

Hazard Analysis and Preventive Controls for Feed Training

The Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals rule published in September 2015 by the Food and Drug Administration (FDA) contains regulatory guidance for the application of the Food Safety Modernization Act (FSMA). To equip feed manufacturers and distributors with the skills necessary to develop a Food Safety plan in conformance with FSMA rules, Texas A&M University's Department of Soil & Crop Sciences, in partnership with the Office of the Texas State Chemist, offers an 8-week course on the application of HACCP principles and prerequisite programs that align with FSMA regulations. This course fulfills the requirement for a

"preventive controls qualified individual" (PCQI) as defined in the Current Good Manufacturing Practice, Hazard Analysis and Risk-based Preventive Controls for Animal Food regulation.

It includes the FDA-recognized "standardized curriculum" developed by the Food Safety Preventive Controls Alliance (FSPCA). Upon completing the course, students will earn a FSPCA Preventive Controls for Animal Food certificate and a Texas A&M University Certificate of Completion with an International HACCP Alliance seal. The next offering of the course begins on January 22, 2019. For more information, visit our website (<http://feedhaccp.org>).