



OTSC Quarterly Newsletter



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Microbrewers/Distillers Obligations for By-Products When Used as Feed for Animals

In the past decade, Texas has experienced significant growth in the number of craft breweries, distilleries, and manufacture of alcoholic beverage products. This growth is due to expanding markets and increased consumer demand for craft products.

The Brewers Association ranks Texas 11th in microbrewery production and lists 283 craft breweries, currently producing beer in Texas. The Texas Alcoholic Beverage Commission has 127 permitted distilleries currently producing spirits in Texas. Depending the source, these numbers may differ.

Any by-products from the brewing and distilling industries used as a feed for animals are by definition commercial animal feed and subject to the Texas Commercial Feed Control Act and the Texas Commercial Feed Rules. Manufacturers of commercial animal feed products must license with the Texas Feed and Fertilizer Control Service and adequately label the animal feed products prior to distribution.

Home-based Pet Food Manufacturing

Home-based pet food manufacturers should be aware that the Texas Cottage Food Law, which allows individuals to sell certain human foods made in home kitchens without a permit, does not apply to pet food, including pet treats. In Texas, all pet food distributors are required to license and register products with the Office of the Texas State Chemist (OTSC). Section §141.001(9) of the Texas Commercial Feed Act defines distribution as any commercial animal feed product that is sold, offered for sale, bartered, exchanged, or otherwise supplied.

All pet food manufacturers who distribute animal feed products in Texas should know and follow with the Texas Commercial Feed Law

Examples of subject brewery and distillery products include:

- Brewers condensed solubles
- Brewers dried grains
- Brewers dried yeast
- Brewers liquid yeast
- Brewers wet grains
- Distillers dried grains
- Distillers dried grains w/solubles
- Distillers dried solubles
- Distillers wet grains



For more information and appropriate licensing and registration forms, contact registration@otsc.tamu.edu.

(§141), Commercial Feed Rules (§61), and Pet Food Rules (§63) posted at <http://otscweb.tamu.edu/Laws>. Pet food labeling guides are available from the American Association of Feed Control Officials (AAFCO) <https://pet-food.aafo.org/Labeling-Labeling-Requirements>.

For more information, contact registration@otsc.tamu.edu.



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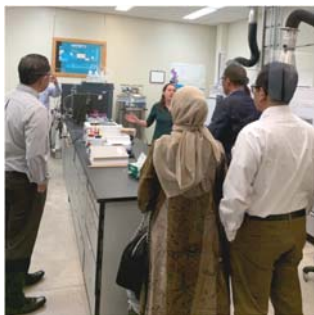
Protects consumers & enhances Agri-Business through its Feed & Fertilizer Regulatory Compliance Program, surveillance & monitoring of Animal-Human health & environmental hazards, & preparedness planning.

Matagorda and Calhoun County Hay Show

The Matagorda and Calhoun County Hay Show was held in Palacios, TX on October 21, 2019. Ricky Schroeder, with OTSC gave a presentation on Feed Labeling, Medicated Feeds-Veterinary Feed Directive, The Food Safety Modernization Act and the OTSC One Sample Strategy. The Hay show was attended by around 40 farmers and ranchers from the area. Topics of interest to the group were the effects of the Veterinary Feed Directive (VFD) and the One Sample Strategy. The VFD rule requires the professional supervision by a licensed veterinarian for VFD drugs such as Chlortetracycline when used in a medicated feed. Previous to the VFD rule these medicated feeds were available over the counter at most feed stores. The participants were concerned about the accuracy of testing corn for aflatoxin. Ricky explained that a process is required to obtain accurate results. The One Sample Strategy has been a huge success because the process from the sampling, grinding, weighing and testing of the corn, training of employees and use of reference material are all monitored by OTSC.

Guests from the Republic of Indonesian Ministry of Agriculture

In September 2019, a delegation from the Ministry of Agriculture (MoA) of the Republic of Indonesia visited the Office of the Texas State Chemist (OTSC) as part of a national tour which also included a stop at the George H.W. Bush Presidential Library and Museum and the Texas Department of Agriculture in Austin.



The delegation included the MoA's Director of Processing and Marketing of the Food Crop and Senior Advisor for Agricultural Investment; representatives from Pupuk Kalimantan Timur (PT) - one of Indonesia's largest fertilizer manufacturers; and hosts from the Consulate General of

Indonesia for Houston.

OTSC provided an overview of risk-based feed and fertilizer regulation in Texas and a tour of the laboratory. While fertilizer was the delegation's primary focus, the Director also expressed a keen interest in mycotoxin risk management and implementation of the One Sample Strategy in Texas.



As an outcome of the visit, OTSC hopes to advance the science of creating tools, standards and practices to improve the protection and compliance of food systems, and build relationships for Texas A&M AgriLife Research.

Withdrawal of Feed Industry Memorandum 3-11: Commercial Feeds Containing Dried Poultry Waster or Litter

In late September, after consulting with the Office of the Texas State Chemist Advisory Committee, Feed Industry Memorandum 3-11, Commercial Feeds Containing Dried Poultry Waste or Litter was withdrawn. While the OTSC has no objection to the feeding of poultry waste or litter, future regulation of such products are held to the standards of the Food Safety Modernization Act (FSMA) preventive controls regulation and the Association of American Feed Control Officials (AAFCO) Model Regulations for Processed Animal Waste Products as Animal Feed ingredients.