



OTSC Quarterly Newsletter



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Office of the Texas State Chemist

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New Raw Milk Policy

A new policy, Feed Industry Memorandum 3-15, defines the circumstances under which raw milk can be distributed as animal feed. Under this memorandum raw milk is defined as any milk or milk product that has not been pasteurized in accordance with processes recognized by the U.S. Food and Drug Administration. The raw milk must be decharacterized with an approved food coloring and cannot be distributed in containers that are or resemble containers used for human consumption. The raw milk cannot be stored at retail with or in the vicinity of milk or milk products for human consumption. The label must bear

the statement, WARNING: NOT FOR HUMAN CONSUMPTION. THIS PRODUCT HAS NOT BEEN PASTEURIZED AND MAY CONTAIN HARMFUL BACTERIA.

The memorandum is available on the OTSC website under OTSC Policies.



Fertilizer Law-Signed by the Governor

The 81st session of the Texas Legislature amended the Texas Commercial Fertilizer Control Act. Specifically, changes to the law included preemptive language that prohibits municipalities from creating new law that regulates the registration, packaging, labeling, sale, storage, distribution, use and application of fertilizers.

The underlined sections are the law changes that were passed during the 81st legislative session and signed into law by the Governor of Texas, the Honorable Rick Perry.

Additionally, language was included under the ammonium nitrate section that better aligns Texas law with new federal legislation that is part of the Homeland Security Act. Specifically, the Texas ammonium nitrate regulation now includes firms that pro-



duce, store and transfer this product.

§63.007. Effect on Other Laws

This Chapter supersedes an ordinance or rule adopted by a political subdivision to regulate the registration, packaging, labeling, sale, storage, distribution, use and application of fertilizers.

§63.152.Required.

(a) A person may not produce, store, transfer, offer for sale or sell ammonium nitrate or ammonium nitrate material unless the person holds a certificate of registration issued by the service under this subchapter.

(b) An application for a registration by any person that owns an ammonium nitrate facility must be:

(1) submitted on a form prescribed by the service that includes:

(A) the name, address, and telephone number of each ammonium nitrate facility owned by that person;

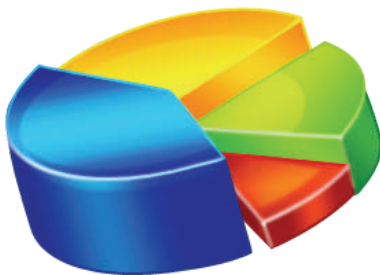
(B) the name of the person designated by that person as the point of contact for each such facility;

Mycotoxin Results For New Crop Grain

The combines are moving north and results from the OTSC mycotoxin surveillance sampling program are moving too. The harvest of new crop corn and milo has occurred in South Texas, the Coastal Bend, the blacklands in Central Texas and is in full swing in North Texas and the Red River Valley. For the earliest information on samples collected at your grain facility, check out the electronic analysis reporting system "EARS." The system tracks your sample from date sampled, through receipt by Prep Lab and provides the reported lab results. Log on to the OTSC website, <http://otscweb.tamu.edu/> and fly over "Reports" in the left-hand margin. Click on EARS Report, enter the OTSC sample number and click view results. Another great website tool is the continuously updated maps for aflatoxin and fumonisin in corn and aflatoxin in milo. Fly over "Education" and click on Best Management Practices, then Maps. This provides the most up-to-date information by county of the highest levels of mycotoxins reported by our surveillance.

Progress of Balance Scorecard

Peggy Wantwadi, our graduate assistant from The Bush School of Public Service & Government here at Texas A&M, is interning with the OTSC this summer. Peggy will start her second year as a Candidate for a Master's in Public Service Administration and a Certificate in International Affairs with an emphasis in International Development.



Peggy's project for OTSC is the development of a beta version of the balanced scorecard as part of the office's continual management improvement process. The balanced scorecard is a performance

measurement and management tool used to translate the organization's strategy into measurable and achievable goals so that employees can more easily turn them into action (*Poister and Streib 2005, 45-56).

The prevalence of aflatoxin in corn is high. Forty-nine percent of our 285 samples reported contain aflatoxin greater than 20 ppb. This includes 20% >20-50 ppb, 15% >50-100 ppb, 9% >100-200 ppb, 2.5% >200-300 ppb, and 3% >300 ppb. Any grain facility receiving corn >300 ppb is required to submit a blending or disposition plan to the OTSC for approval before the grain can be legally considered for commercial distribution. The prevalence of fumonisin in corn is low at the time of this report. Three percent of our 285 samples reported contain fumonisin greater than 5 ppm. This includes 2% >5-10 ppm and 1% >10 ppm. There are no results of milo from our 21 samples collected with a presence of aflatoxin.



Though developed primarily for the private sector, several governmental agencies and other public organizations have adopted the balanced scorecard following the reinvention of government movement initiated by the enactment of *GPRA* (Government Performance & Results Act).

The balanced scorecard helps describe the cause and effect relationships between the objectives of the organization based on 5 perspectives: the mission, the customer focus, the internal processes, the knowledge and data of the organization (referring to knowledge of employees and knowledge stored in database systems) and financial resources.

With the balanced scorecard, OTSC can identify critical measures that will help achieve organizational success and fulfill the mission which is "to protect consumers and enhance agribusinesses" through its compliance, surveillance, monitoring programs and preparedness planning activities.

*Reference: Poister, Theodore H. and Gregory Streib. 2005. Elements of Strategic Planning and Management in Municipal Government: Status after Two Decades. *Public Administration Review* 65 (1): 45-56.

Follow-up on BSE Prevention Feed Rule

The U.S. Food and Drug Administration's rule entitled "Substances Prohibited from Use in Animal Food or Feed" became effective on April 27, 2009. However to allow renderers additional time to comply with the new requirements, FDA established a compliance date of October 29, 2009. The rule prohibits the use of certain cattle origin materials in the feed of all animals. These materials include the following: the entire carcass of (BSE)-positive cattle; the brains and spinal cords from cattle 30 months of age and older; the entire carcass of cattle not inspected and passed for human consumption that are 30 months of age or older from which brains and spinal cords were not removed; tallow that is derived from BSE-

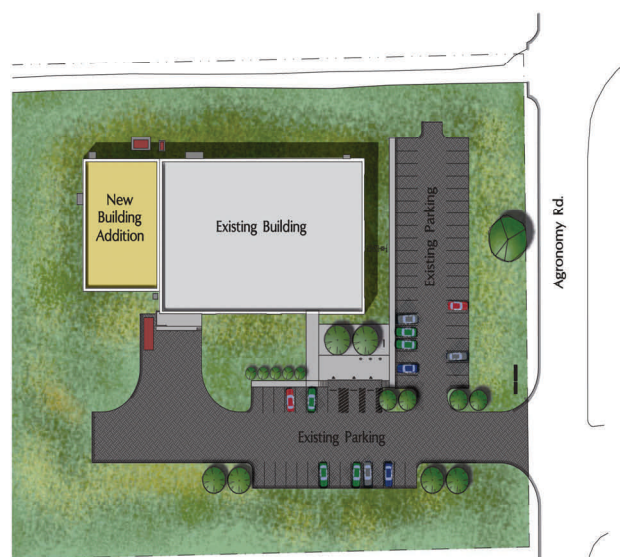
positive cattle; tallow that is derived from other materials prohibited by this rule that contains more than 0.15 percent insoluble impurities; and mechanically separated beef that is



derived from the materials prohibited by this rule. Additional information concerning this rule is available on the FDA website, (<http://www.fda.gov>).

Building Phase II Plans

The Office of the Texas State Chemist submitted a proposal to the National Institute of Standards and Technology new construction program in August 2009. The preparation of the grant proposal benefited OTSC, in that the exercise enabled the management team to develop a vision and road map for the future by identifying which technologies and methods to develop, and infrastructure needs. The proposal contains details about a 6,135 square feet laboratory addition to the west end of the existing building as depicted in the accompanying diagram. The current OTSC structure was completed in 2006 and the original construction documents included the potential for this addition.



Office of the State Chemist Addition
WestEast Design Group

July 30, 2009



Update of Mass Spectrometry Based Activities

Two new instruments added to the OTSC laboratory in the past 2 years include a Waters ultra performance high pressure liquid chromatography with a tandem triplequad mass spectrometer (UPLC/MS/MS) and an Agilent gas chromatograph with mass spectrometry (GCMS). These two instruments place OTSC among the top government agencies that possess the state-of-the-art modern analytical platforms for more challenging tasks. These instruments are utilized for small molecule analysis and possess highly sensitive capability to separate compounds and measure their molecular weight.

Progress with the LCMS includes method development to measure monensin both in animal feed and milk (to test the lower end of the detection limit for this instrument) and progress has been made toward developing a multi-mycotoxin procedure to detect aflatoxin and fumonisin.

With the GCMS, we have developed a procedure for measuring methanol in glycerin. Of all regulatory samples tested, no sample was found to contain more than 1% of methanol, the upper level permitted by OTSC.

OTSC is collaborating with the College of Veterinary Medicine's Dr. Jeffery Musser, utilizing the GCMS to analyze a toxic compound in goat blood associated with prescriptive grazing to control juniper infestation and encroachment in Texas rangelands. The project has been funded by the Texas Department of Agriculture, Food and Fiber Research.

Additional work targeted for these instruments includes developing methods to test for drugs at low levels to detect cross-contamination, pesticide compounds, and mycotoxins not mentioned above.

Office of the Texas State Chemist

Mailing Address:

P. O. Box 3160
College Station, TX 77841

Physical Address:

445 Agronomy Road
College Station, TX 77843

Phone: 979-845-1121

Fax: 979-845-1389

Web: <http://otscweb.tamu.edu>

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

OTSC Says Farewell to Elizabeth Becker

OTSC hosted a retirement party for a valued employee, Beth Becker, on May 27. Texas AgriLife provided a plaque recognizing her 30 years of contributions to TAMU. Beth received her degree in Animal Science from Texas A&M. She began employment with TAMU in September 1978 when she worked in the Agricultural Analytical Services lab for more than a year. She transferred to the Medical School, performing research in both the Medical Pharmacology and Medical Physiology departments until May 2004. At that time, she returned to OTSC. Beth was a key member of our Elemental Analysis team for the last 5 years where she analyzed for minerals in

fertilizer material, utilizing both spectroscopic and traditional gravimetric procedures. Beth's retirement activities will include fishing, bird-watching, home renovation, and volunteer work for her church and other community organizations. While we celebrated her retirement, we were sorry to see her leave us. OTSC wishes Beth the best.



Congratulations: Rudy Schneider

Rudy Schneider of Martin Resources, Inc. in Amarillo, Texas was recognized by the Association of American Plant Food Control Officials, (AAPFCO) with a Certificate of Appreciation for the many years of effort advising the Association and representing the fertilizer industry in a professional and supportive manner. The AAPFCO rarely recognizes individuals and this was the only such acknowledgment this year. Way to go Rudy, well deserved!

