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Dale A. Rodman, Secretary
Tim Tyson, Director

Sam Brownback, Governor

To: Beverly Kent and Jenny Murphy, FDA

From: Dale Rodman, Kansas Secretary of Agriculture

Date: September 9, 2013

Re: Kansas Department of Agriculture Comments on proposed Animal Feed Regulatory Program Standards

Thank you for the opportunity to provide comments on the proposed Animal Feed Regulatory Program Standards (AFRPS). Agriculture is the largest sector of the Kansas economy and a very important part of that is feed production with approximately 6 million tons of feed produced in Kansas annually. We understand the importance of safe feed and the role of a sound regulatory structure to help insure a safe feed supply.

We would like to provide a few brief comments on the proposed AFRPS based on the anticipated impact the regulation would have in Kansas.

First, the voluntary nature of the program standards is appreciated. This flexibility gives us the opportunity to review the program and determine how best to use the AFRPS in Kansas to improve our existing regulatory program.

The eleven proposed standards form a sound structure for maintaining an effective feed regulatory program. If a program were to be implemented where no program previously existed, the elements outlined in the proposed standards would provide a useful framework for implementing and maintaining the program.

The requirements of the standards are extensive and would require significant additional investment to comply with the regulatory standards. The Kansas Department of Agriculture's Agriculture Commodities Assurance Program estimates the need for 3.5 full time equivalent employees for the first two years of implementation and 1.5 full time equivalent employees for maintaining the program after implementation. In addition, the department's Agriculture Laboratory estimates the need for an additional employee to complete increased testing and significant investment to make the feed lab ISO17025 compliant.

While it is clear that compliance will require additional regulation and increased administrative workload for our program, it is unclear how the proposed standards will make feed manufactured in Kansas any safer than it is today.

Finally, AFRPS will provide FDA with increased oversight and control of the feed program in Kansas but it is unclear how Kansas will benefit from this relationship. At KDA we work closely with our all stakeholders, from other state agencies and local government to academia and private industry, to help them understand and comply with rules and regulations and aim to minimize excessive rules and regulation. Increased regulation will not necessarily equate to a safer feed supply for Kansas agriculture. As such, we strongly encourage FDA to consider our comments, clarify how the proposal will result in a safer feed supply and define the benefit your stakeholders will enjoy if the proposal is made final.

Thank you for the opportunity to comment on AFRPS.