

CDFA: Almond Hull Enforcement Procedure

Legislative Charge:

The goal of the California Department of Food & Agriculture (CDFA) Feed Inspection Program is to enable the feed and feeding industry, with the aid of the state, to ensure in everyway possible a clean supply of meat, milk, and eggs for the benefit of the consumer.

Provide assurance to the consumer/buyer of commercial feed that the product he/she purchases is properly identified and of the quality and quantity represented by the manufacturer of the commercial feed.

Feed Program - Almond Hull Compliance

Almond Hulls or Almond Hull and Shell samples will be obtained in accordance with the standard operating procedures (SOPs) outlined in the Inspector Training Manual.

Almond Huller/Sheller Managers or Designated Employees are responsible for performing monitoring steps, including; quality control sampling, product mapping, developing mixing procedures and finished product testing on Almond Hulls or Almond Hull and Shell to ensure compliance with the Commercial Feed Law and Regulations.

What we look for at the huller/sheller

Almond huller/shellers should have developed a compliance plan specific to their facility which ensures that label requirements for almond hull products are consistently met. The quality control/assurance plan should include all of the following:

- 1) A **map** of product created from sampling results taken as the pile was created.
- 2) A **mixing procedure and ratio** including calculations for different areas of the pile.
- 3) **Premix piles** created using the mixing ratio, are encouraged.
- 4) **Finished product testing** has been completed and results are within almond hull criteria prior to shipment.

Monitoring: (testing, limits, tolerance)

Field staff monitoring will include routine sampling and testing of product being shipped or delivered.

Frequency:

Official samples will be performed at any point that a sample of interest to the inspector is encountered.

Samples that are found to be in violation will result in a follow-up sample being taken to monitor compliance.

Verification:

Field staff sampling serves as verification that an almond huller/sheller's quality assurance (QA) plan is effective.

Sample results will serve as verification of a mixing plan for the huller/sheller.

Lab reports and analyses deriving from the State's Center for Analytical Chemistry lab will serve as the official results.

Validation: 2773.5. Almond Hull Products.

California Laws and Regulations are available at: <http://www.cdfa.ca.gov/is/ffldrs/feedlvstkdrugs.html> (click on "laws and regulations")

2773.5. Almond Hull Products.

(a) Almond hulls are obtained by drying that portion of the almond fruit which surrounds the nut. They shall not contain more than 13.0 percent moisture, nor more than 15.0 percent crude fiber, and not more than 9.0 percent ash. If they contain more than 15.0 percent but less than 29.0 percent crude fiber, they shall be labeled "Almond Hull and Shell," and the maximum percent of crude fiber shall be stated. If the crude fiber exceeds 29.0 percent, the product shall be labeled "Almond Shell." If the ash exceeds 9.0 percent, the term "and dirt" shall be included in the product name. Almond hull products shall be free of foreign material, including plastic, glass, and metal except in such trace amounts as unavoidably occur in good manufacturing practices.

(b) When the following almond hull products are used in a mixed feed, the maximum percent shall be stated.

- (1) Almond hull and shell.
- (2) Almond shell.
- (3) Almond products containing more than 9.0 percent ash.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

Validation: Article 9. Adulteration 15041 (c)

Article 9. Adulteration

15041. A commercial feed is adulterated in the following cases:

(c) Its composition differs from, or quality falls below, that which it is purported or is represented to possess by its labeling.

Validation: Article 12. Violations *15072; 15073; 15079*

Article 12. Violations

15072. It is unlawful for any person to manufacture or distribute in this state any commercial feed without complying with the provisions of this chapter and the regulations which are adopted pursuant to it.

15073. The secretary may seize and hold any lot of commercial feed which he has reasonable cause to believe is in violation of the provisions of this chapter or the regulations adopted pursuant to it.

15079. If the seized and held lot is found to be in violation, the secretary shall either:

(a) Continue to hold the lot until such time as the requirements of this chapter have been complied with, at which time the lot shall be released.

(b) Issue orders for the disposal of the lot in a manner specified by the secretary.

Corrective Actions

- The CDFA Commercial Feed Program will follow-up on all official crude fiber violations of Almond Hulls and Almond Hull and Shell.
- Corrective Actions include Call Reports, Notice of Warnings, and Quarantines of product that is in violation of the Commercial Feed Law and Regulations for Almond Hull Products.
- Almond hull violations will result in a Call Report or Notice of Warning for the first offense and any subsequent violation(s) may result in a Notice of Quarantine and Removal from Sale.
- Field staff will use their discretion as to which corrective actions to take by considering the firm's violation history, the presence of an effective quality assurance program, and the severity of the violation.

Annual Crude Fiber Violation Rates

January-August 2012 Almond Hull Summary	
Total Number of Official Samples	113
Total number of Crude Fiber Violations	50
Violation Rate	44%

2013 Almond Hull Summary	
Total Number of Official Samples	304
Total number of Crude Fiber Violations	152
Violation Rate	50%

2014 Almond Hull Summary	
Total Number of Official Samples	183
Total number of Crude Fiber Violations	75
Violation Rate	41%

2015 Almond Hull Summary	
Total Number of Official Samples	126
Total number of Crude Fiber Violations	37
Violation Rate	29%