

**North American Millers' Association
Technical Committee Meeting
Minutes**

**Hammock Beach Resort
Harbor/Galleon Rooms**

**Saturday March 23, 2013
12:30-4:30p.m.**

DRAFT

Members Present

Committee Chairman Dave Katzke, General Mills, Inc.
Brian Anderson, Bunge Milling, Inc.
Mike Fassezke, Star of the West Milling Co.
Scott Frazer, Viterra, Inc.
Ellen Gay, Horizon Milling LLC/Cargill
Paul Harper, Bartlett Milling Company
Mike Loverde, Wilkins Rogers Mills
D. Ford Mennel, The Mennel Milling Company
Don Mennel, The Mennel Milling Company
Jim Meyer, Italgrani, U.S.A., Inc.
Mickey Pritchard, PepsiCo/Quaker Oats

Bruce Roskens, Grain Millers, Inc.
Rick Siemer, Siemer Milling Company
Keith Smith, Cargill Corn Milling
Bob Sombke, North Dakota Mill & Elevator, Inc.
Glen Weaver, ConAgra Mills
Nick Weigel, ADM Milling Company

NAMA Staff

Jim Bair, Staff Liaison, Vice President
Sherri Lehman, Director of Government Affairs
Lyndsey Valentine, Administrative Assistant
Robert Myers, Jr., NAMA Counsel

1. Call to Order – *Committee Chairman* Dave Katzke, General Mills, Inc.

Mr. Katzke called the meeting to order at 12:43 p.m.

a. Introductions – *Committee Chairman* Dave Katzke, General Mills, Inc.

Self-introductions were made.

b. Review of Antitrust Guidelines – Robert H. Myers, Jr., Morris, Manning & Martin, LLP

Mr. Myers, legal counsel, reviewed the antitrust guidelines.

2. Administrative

a. Approval of Minutes – Jim Bair, NAMA

The September 20, 2012 meeting minutes were distributed prior to this meeting for review. Mr. Mennel moved to approve the minutes. Mr. Sombke seconded the motion. The minutes were approved at 12:47 p.m.

3. Items for Discussion

a. FSMA Implementation – Preventive Controls Proposal – Ricardo Carvajal, NAMA Food Safety Legal Counsel (via phone)

Mr. Carvajal reported FSMA has a number of provisions critical to NAMA, but it will take years to implement the rules. The final rule will not be approved this year because it will take FDA a full year to analyze public comments. The estimated compliance date is late 2015.

The proposed definition of “ready to eat” and the potential requirement of testing and cross contact puts flour at risk. The final rule will require food allergen control plans.

NAMA has drafted comments on preventive controls and asked members of the NAMA Technical and Food Safety Committees to provide feedback. NAMA’s final comments will be submitted in mid-April. Mr. Carvajal suggested NAMA schedule a conference call with Steve Gendel, CFSAN, to discuss allergens.

A definition of “small business” was discussed. In Mr. Don Mennel’s view, the number of employees and not dollar sales defines a small business. Mr. Siemer commented that none of the NAMA members should be defined as a small business.

Mr. Weaver stated there are still products that do not have a kill step and the industry needs to effectively ensure safe products. Ms. Lehman will circulate to members language on the NAMA website that addresses this issue and asked members to contact her if the language should be updated.

b. Vitamin D Update – Sherri Lehman, NAMA

Ms. Lehman reported the Vitamin D working group met by conference call in December. Caravan Ingredients will donate Vitamin D3 for a shelf life study. Testing has not begun. Another phone call of the working group will be scheduled soon.

c. Labeling of Bleaching Agents – Ellen Gay, Horizon Milling, LLC/Cargill

Ms. Gay reported on conversations with bakery customers in January questioning the proper practice for labeling bleaching agents. Mr. Bair distributed a 1997 letter from the Millers’ National Federation to FDA confirming that millers who use any bleaching agent merely need to use the term “bleached” on the package in accordance with a 1973 Federal Register notice.

Mr. Katzke said several companies in the industry have pulled ADA (Azodicarbonamide) out of their flour. Ms. Gay asked for consistency within the industry. Ms. Gay agreed to follow up with ABA on the matter.

d. Potassium Bromate Usage – Ellen Gay, Horizon Milling, LLC/Cargill

Ms. Gay said Dr. Oz revealed five ingredients everybody should avoid. One of those ingredients was potassium bromate in flour. Ms. Gay said Cargill is working very hard to respond to these types of shows.

e. Mycotoxins – Jim Bair, NAMA

- **Codex deliberations**

Mr. Bair reported on an upcoming meeting of Codex. DON, aflatoxin and ochratoxin are on the agenda. The U.S. guidelines for mycotoxins are different than the maximum levels set by CODEX. NAMA does not support maximum DON levels on raw grain as has been proposed by Codex. He expects FDA will ask NAMA for aflatoxin testing data similar to the fumonisin in corn data NAMA collected and provided to FDA in 2000.

- **Canada Laws and Regulations**

Mr. Bair reported that NAMA members who ship grain or milled products to or from Canada can experience challenges because U.S. food safety laws are different from Canadian food safety laws. NAMA worked with the Canadian National Millers Association last year to get language aligning the two laws passed by Parliament. A food safety law passed, but it did not contain the aligning amendment we sought. . He said he continues to work on this with policy makers.

- **Canadian Grains Council Oat Testing**

Mr. Bair said mycotoxin testing by the Canadian Grains Council continues. In addition to oats, hard red spring wheat, eastern soft wheat and durum are also being tested. 21 36kg samples of each are collected with 64 replicate analyses performed on each sample. Mr. Bair noted the ELISA method does not agree well with HPLC testing of oats but is better in wheat.

f. Biotechnology – Jim Bair, NAMA

- **Wheat Innovation Alliance**

Mr. Bair said NAMA has been meeting with WIA quarterly, but not since the departures of Ms. Jane DeMarchi and Ms. Dana Peterson from the NAWG staff. The communications working group, of which Ms. Long is a member, meets regularly. Mr. Bair sits in on the calls. Mr. Bair said WIA has hired Global Prairie, a communications firm to help develop materials for use with customers. He will be presenting the WIA case for biotech wheat in a speech at AACC. Mr. Frazer said corn has enjoyed the advantages of GMO, while wheat has not. The group agreed the wheat industry should continue to engage the technology providers to ensure they understand the critical importance of milling and baking quality.

- **State Labeling Initiatives**

Mr. Bair said more states are pursuing labeling initiatives on future ballots similar to the one last November in California. Mr. Mennel suggested the National Corn Growers Association would be a good ally on this.

g. Feed Safety and Assurance – Nick Weigel, ADM Milling Company

Mr. Weigel said an uneventful audit by the state department of agriculture of an ADM feed facility gives him concern going forward. Ms. Gay said they do not call it feed anymore, they call it animal food. She said there are the same type of food safety practices for animal food as for human food. Mr. Ford Mennel said farmer-owned cooperative elevators, which are purely storage and distribution facilities, are also being audited by FDA. He said most of the focus was on pest control, both insects and rodents. A member asked if NAMA should form a feed safety sub group. Another member suggested NAMA provide members with more awareness.

h. IPM – Jim Bair, NAMA

- **IPM Manual**

Mr. Bair reported the fumigation manual will be replaced by an expanded and updated Integrated Pest Management manual that is being written by the Food Protection Committee of the International Association of Operative

Millers (IAOM). It is nearly complete and will be available on IAOM website very soon.

- **Methyl Bromide Status**

Mr. Bair said 2014 is the last year NAMA members will be able to use the NAMA critical use exemption for access to methyl bromide. This year, NAMA members have access to 40,000 lbs of methyl bromide. In 2014 they will have access to 36,000 lbs.

- **Sulfuryl Fluoride Status**

Mr. Bair said mills can continue to use SF, but if EPA finalizes the rule and deletes SF, EPA will use its market channel clearing policy. Mr. Ford Mennel expressed concern that SF has a monopoly. He asked if there was patent on it. Mr. Bair said it has been around for many years but due to the small market it is unlikely other chemical companies will develop an alternative.

- i. **Nanoparticles – Bob Sombke, North Dakota Mill & Elevator, Inc.**

Mr. Sombke said he has been approached about nanoparticles several different times now yet little is known. He said it is microscopic in size and has been heralded as revolutionizing the food industry. He said it is starting to enter the food chain through product and packaging. Mr. Sombke said the FDA did not have enough data to determine if there is a risk to food. He said they are concerned nanoparticles could enter blood cells.

- j. **Dicyanamide – Ellen Gay, Horizon Milling, LLC/Cargill**

Ms. Gay said at the end of January, DCD, which is a fertilizer aid, was found in milk in New Zealand. She said they were getting challenged about exporting milk because it may be used to boost protein levels. She has heard nothing more on the matter recently. Ms. Gay said they are looking into it in the other industries.

- k. **Walmart Sustainability – Nick Weigel, ADM Milling Company**

Mr. Weigel reported Arizona State and the University of Arkansas are helping WalMart develop supplier surveys about sustainability. He called on NAMA to work with ABA and the growers on sustainability for wheat. Mr. Roskens said NAMA needs to understand Walmart's metrics. Mr. Ford Mennel suggested NAMA tie this in with IAOM.

- l. **Allergen Labeling – Soy Presence and Labeling in Canada – Nick Weigel, ADM Milling Company**

Mr. Weigel said the Canadian Food Inspection Agency (CFIA) posted three documents to their website about cereal grains containing soy. He said Canada's largest flour distributor has taken a conservative view, but they may add precautionary labels to products, which could create a domino effect. Mr. Bair said Health Canada and CFIA announced new labeling provisions in February of 2011, yet before the rules became effective CFIA took compliance and enforcement action based on rules that were not in effect yet. Mr. Bair said in Canada the allergens of concern are the same Big 8 used in the US plus mustard seed, sesame and sulfites. Canadian regulators have said now the 'worry level' is at 1,000 ppm. Mr. Bair said CFIA has specifically said allergens are unavoidable but the miller will still be held accountable.

m. NAMA Funded Research – Sherri Lehman, NAMA

Ms. Lehman said NAMA funded Mr. Fred Kolb's Barley Yellow Dwarf Virus research with a three year commitment of \$10,000 a year. She said a new proposal from Mr. Clay Sneller at Ohio State has been distributed to members for review. Mr. Don Mennel said he would recommend NAMA not fund this project. He said he feels the Soft Wheat Quality Lab is not capable of this at this time.

n. Corn Dry Milling Conference – Sherri Lehman, NAMA

Mr. Smith said the Corn Dry Milling Conference will take place May 15-16 in Peoria, Illinois. The member meeting is May 15, followed by the banquet. The conference will take place all day May 16.

o. Location of Fall Technical Committee Meeting – David Katzke, General Mills, Inc.

Mr. Bair said he has several ideas regarding a meeting place for the fall Technical Committee meeting. Committee members agree they like holding the fall in a location that allows for a field trip on a relevant topic.

4. Other Business

No other business was discussed.

5. Adjournment

Mr. Katzke adjourned the meeting at 4:10 p.m.

Respectfully Submitted,

*Jim Bair,
Staff Liaison*