



Steve Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Food and Drug Protection Division

Audrey Pilkington
Director

October 21, 2016

LETTER TO INDUSTRY REGARDING FLOOD-IMPACTED CROPS AND COMMODITIES

The North Carolina Department of Agriculture & Consumer Services recognizes the significant impact to agribusiness due to flooding caused by Hurricane Matthew. Many farms have crops in the field and/or commodities in storage that have been impacted by flood waters and we would like to offer the following information.

In order to properly assess how your farm may have been impacted, it is important to understand the difference between flood waters and pooled waters. Flood water can be distinguished from pooled water, as described below in guidance from US Food and Drug Administration (FDA):

“Flooding is the flowing or overflowing of a field with water outside a grower’s control. Pooled water (e.g., after rainfall) that is not reasonably likely to cause contamination of the edible portions of fresh produce is not considered flooding.”

FDA also offers the following guidance on crops and commodities exposed to flood waters:

“If the edible portion of a crop is exposed to flood waters, it is considered adulterated... and should not enter human food channels.

There is no practical method of reconditioning the edible portion of a crop that will provide a reasonable assurance of human food safety. Therefore, the FDA recommends that these crops be disposed of in a manner that ensures they are kept separate from crops that have not been flood damaged to avoid adulterating “clean” crops.

This applies to all food crops including:

- Surface crops such as leafy greens, tomatoes and corn;
- Underground crops such as peanuts and sweet potatoes;
- Crops with a hard outer skin such as watermelon and winter squash; and
- Commodities such as grains, nuts, corn and similar products stored in bulk.

FDA has also provided the following guidance on the use of these crops and commodities in animal feed:

“Crops harvested from flooded fields are not considered acceptable for use in animal feed. The flood water may contain sewage, pathogenic organisms, pesticides, chemical wastes, or other toxic substances. Even more serious is the mold growth which may occur in wet foods. Certain molds produce mycotoxins which are toxic or carcinogenic to certain animals including man, and if present in animal feed, can result in the presence of unsafe residues in foods produced by the ingesting animal.”

Please take caution if you harvest crops from flood-impacted fields to ensure that they are kept separate from commodities that have not been exposed to flood waters to avoid adulterating the clean commodities.

In an effort to assist farmers in recovering from flood-related impacts, NCDA&CS is collaborating with the College of Agriculture and Life Sciences (CALs) at North Carolina State University to provide assistance to farmers to determine safe uses for flood-impacted crops and commodities. While these products cannot be used for human food, FDA has established a process by which a request can be submitted to divert these products to animal feed provided that they pass a testing protocol.

Before crops or commodities contacted by flood waters can be used for animal feed, the farm must develop a diversion request detailing the process to assure the safety of diverted crops or commodities. We encourage you to not initiate any diversion actions until your request has been approved. Please contact your local Cooperative Extension Agent for further information and guidance.

To assist those submitting diversion requests requiring sample testing, NCDA&CS will provide all testing at no cost to the farm. Please know that we are committed to helping in this recovery effort and appreciate your attention to the information provided in this letter.

Sincerely,

/s/

Audrey Pilkington, Director
NCDA&CS, Food & Drug Protection Division

References:

[CPG 675.100 Diversion of Contaminated Food for Animal Use](#)

[CPG 675.200 Diversion of Adulterated Food to Acceptable Animal Feed Use](#)

[CPG 675.300 Moisture Damaged Grain](#)

cc:

Joe Reardon, NCDA&CS, Assistant Commissioner
Richard Reich, NCDA&CS, Assistant Commissioner
George Ferguson, NCDA&CS, Feed Administrator
Anita MacMullan, NCDA&CS, Food Administrator
Dr. Rich Bonanno, NCSU
Dr. Tom Melton, NCSU
Dr. Matt Poore, NCSU