

**Third-Party Soil Amendment Suppliers**  
**Food Safety Modernization Act (FSMA) Produce Safety Rule**  
**Model Certificate of Conformance**

April 21<sup>st</sup>, 2022

To whom it may concern;

**Black Earth Compost LLC's product Black Earth Compost** meets the definition of a treated biological soil amendment of animal origin<sup>1</sup> in the FSMA Produce Safety Rule. This product has undergone a scientifically valid treatment, with appropriate process monitoring, to conform to one of the following microbial standards.

- YES** §112.55(a): No detectable *L. monocytogenes*, *Salmonella* spp., and *E. coli* O157:H7
  - For *L. monocytogenes*, detection limit 1 CFU in 5 g or 5 mL
  - For *Salmonella*, detection limit 3 MPN in 4 g (total solids) or 4 mL (if liquid is being sampled)
  - For *E. coli* O157:H7, detection limit 0.3 MPN in 1 g or 1 mL analytical portion
  
- §112.55(b): No detectable *Salmonella* spp., and fecal coliforms <1000 CFU in 1 g or 1 mL total solids
  - For *Salmonella*, detection limit 3 MPN in 4 g (total solids) or 4 mL (if liquid is being sampled)

The process used to achieve this treatment status was:

- YES** Aerated static composting with 3 or more days at temperature followed by adequate curing
- Turned (windrow) composting with 15 or more days at temperature and 5 or more turnings, followed by adequate curing
- Other:

Appropriate control parameters **Time, Temperature and Number of Turnings** were monitored throughout the treatment process.

This product has been handled, conveyed, and stored in a manner and location to minimize the risk of contamination by an untreated or in-process biological soil amendment of animal origin. Practices used to minimize contamination risk include:

- Yes** Physical separation of in-process product from finished product
- Yes** Storm water and runoff were directed away from finished product
- Different equipment was used for handling finished product
- Yes** Equipment was cleaned and sanitized before handling finished product **Bucket is emptied and flushed with tailings**
- Yes** Other: **Truck used for delivery is dedicated only for finished product**

**Andrew Brousseau, Compost Operations**

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Notes:

<sup>1</sup> For soil amendments that do not contain materials of animal origin, state regulations may require a separate statement specifying that the product does not meet the definition of a biological soil amendment of animal origin (BSAAO). Soil amendments that do not meet the definition of a BSAAO are not covered by the FSMA Produce Safety Rule. For this reason, it may be useful to describe the compost feedstock in the first paragraph. The FSMA Produce Safety Rule definitions do not include, for example, human waste and pre-consumer vegetative waste as a BSAAO.

<sup>2</sup> FDA's draft guidance for industry (docket number FDA-2018-D-3631) states that:

*"A farm that receives a treated BSAAO from a third party could keep a record that includes a statement such as: 'A scientifically valid thermal treatment was applied and carried out with appropriate process monitoring to satisfy the microbial standard in 21 CFR 112.55(a). The BSAAO has been handled, conveyed, and stored in a manner and location to minimize the risk of contamination.' In addition, other information related to producing or managing the BSAAO, such as the BSAAO materials used, process parameters monitored and their results, and any applicable test results could be included."* (page 72)

In addition to the FDA requirements, industry representatives have indicated that the FSMA-optional language may be beneficial or required by state regulations, buyer requirements, organic audits, or other programs.

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Black Earth Compost  
Andrew Brousseau

REPORT OF ANALYSIS  
For: (60367) Black Earth Compost  
Compost 2021

Analysis	As Received	Dry Weight	Units	Reporting Limit	Method	Analyst-Date	Verified-Date
Sample ID: Compost2021 Lab Number: 70097420 Date Sampled: 2021-04-26 1600							
Percent solids	58.4		%	0.01	SM 2540 G-(1997) *	Mmg9-2022/04/12	mgn8-2022/04/12
Fecal coliforms	1.7	2.9	MPN/g	0.2	EPA 1681	Ljm8-2022/04/09	snl7-2022/04/09
Salmonella	< 0.26	< 0.26	MPN/4g	0.26	EPA 1682	cjb1-2022/04/19	jzh4-2022/04/21
Listeria	presumptive positive		org/25g	1	RapidChek/AOAC RI 020401	kko0-2022/04/10	jzh4-2022/04/11
E. coli O157	negative		org/25g	1	Lateral Flow/AOAC RI 070801	tma2-2022/04/09	mmi4-2022/04/09
E. coli (generic)	< 3.0		MPN/g	3.0	E. coli MPN	Jcp2-2022/04/10	jzh4-2022/04/10
Total coliforms	< 3.0		MPN/g	3.0	FDA BAM Chapter 4	Jcp2-2022/04/10	jzh4-2022/04/10
Listeria monocytogenes Confirmation	Negative		org/25g	1	FDA BAM Chpt. 10	clh4-2022/04/15	snl7-2022/04/15

EPA 1681 holding time of < 24 hours from sampling to laboratory set up of samples for biosolids and compost has been exceeded. Individual states enforce different holding times for compost or biosolids so please contact the regulatory body in your state for their requirements.

Listeria species identified: No listeria identified

EPA 1682 holding time of < 6 hours from sampling to laboratory set up of samples for biosolids and compost has been exceeded. If a level of Salmonella was reported, the value would be considered an estimate. Individual states enforce different holding times for compost or biosolids so please contact the regulatory body in your state for their requirements.  
MPN = most probable number

For questions please contact:

Rob Ferris  
Account Manager

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