

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

February 14<sup>th</sup>, 2020

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
- 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.