

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

August 15th, 2024

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 origin¹ 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

Notes:

¹ 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.


² 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.

⦿ **§ 112.56 What application requirements and minimum application intervals apply to biological soil amendments of animal origin?**

- (a) You must apply the biological soil amendments of animal origin specified in the first column of the table in this [paragraph \(a\)](#) in accordance with the application requirements specified in the second column of the table in this [paragraph \(a\)](#) and the minimum application intervals specified in the third column of the table in this [paragraph \(a\)](#).

Expand
Table


If the biological soil amendment of animal origin is—	Then the biological soil amendment of animal origin must be applied—	And then the minimum application interval is—
(1)(i) Untreated	In a manner that does not contact covered produce during application and minimizes the potential for contact with covered produce after application	[Reserved].
(ii) Untreated	In a manner that does not contact covered produce during or after application	0 days.
(2) Treated by a scientifically valid controlled physical, chemical, or biological process, or combination of scientifically valid controlled physical, chemical, and/or biological processes, in accordance with the requirements of § 112.54(b) to meet the microbial standard in § 112.55(b)	In a manner that minimizes the potential for contact with covered produce during and after application	0 days.
(3) Treated by a scientifically valid controlled physical, chemical, or biological process, or combination of scientifically valid controlled physical, chemical, or biological processes, in accordance with the requirements of § 112.54(a) to meet the microbial standard in § 112.55(a)	In any manner (<i>i.e.</i> , no restrictions)	0 days.

**Black Earth Compost
Andrew Brousseau
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GLOUCESTER MA 01930**

REPORT OF ANALYSIS

For: (60367) Black Earth Compost
Black Earth Compost FSMA 24
All sites
2024

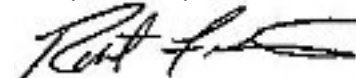
Analysis	Level Found		Reporting			Analyst- Date	Verified- Date
	As Received	Dry Weight	Units	Limit	Method		
Sample ID: Groton	Lab Number: 70442004		Date Sampled: 2024-03-19 1500				
Percent solids	61.8		%	0.01	SM 2540 G-(2015) *	jsa6-2024/04/02	jdb5-2024/04/02
Salmonella	< 1.2	< 1.2	MPN/4g	1.2	TMECC 7.02 (mod)	Uml8-2024/04/04	snl7-2024/04/05
E. coli O157:H7	negative		org/25g	None	Real-Time PCR Assay; AOAC-RI 031002	clh4-2024/03/29	jzh4-2024/03/29
Fecal coliforms	13.0	21.0	MPN/g	0.2	EPA 1681	sdw8-2024/03/29	jzh4-2024/03/29
Listeria monocytogenes	negative		org/25g	1	Real-Time PCR Assay; AOAC-RI 121402/AFNOR QUA 18/10-01/19	Hct6-2024/03/30	snl7-2024/03/30

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.

This report was reissued on 2024-08-15 14:29:04 by raf4 for the following reason:
split report.

MPN = most probable number

For questions please contact:



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REPORT OF ANALYSIS

For: (60367) Black Earth Compost
Black Earth Compost FSMA 24
All sites
2024

Analysis	Level Found		Reporting			Analyst-Date	Verified-Date
	As Received	Dry Weight	Units	Limit	Method		
Sample ID: Framingham Lab Number: 70442005 Date Sampled: 2024-03-19 1230							
Percent solids	77.7		%	0.01	SM 2540 G-(2015) *	jsa6-2024/04/02	jdb5-2024/04/02
Salmonella	< 1.2	< 1.2	MPN/4g	1.2	TMECC 7.02 (mod)	Uml8-2024/04/04	snl7-2024/04/05
E. coli O157:H7	negative		org/25g	None	Real-Time PCR Assay; AOAC-RI 031002	clh4-2024/03/29	jzh4-2024/03/29
Fecal coliforms	456.0	586.9	MPN/g	0.2	EPA 1681	sdw8-2024/03/29	jzh4-2024/03/29
Listeria monocytogenes	presumptive positive		org/25g	1	Real-Time PCR Assay; AOAC-RI 121402/AFNOR QUA 18/10-01/19	Hct6-2024/03/30	snl7-2024/03/30
Listeria monocytogenes Confirmation	Negative		org/25g	1	FDA BAM Chpt. 10	clh4-2024/04/08	jzh4-2024/04/08

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: Listeria innocua

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