



2012 COMPLIANCE AGREEMENT

BLENDING CORN CONTAINING AFLATOXIN IN CONCENTRATIONS OF HIGHER THAN 20PPB AND LESS THAN 500PPB WITH CORN CONTAINING AFLATOXIN IN CONCENTRATIONS OF LESS THAN 20 PPB

Compliance Agreement #: _____

Blending Firm: _____

Blending Firm's Mailing Address: _____

Blending Firm's Email Address: _____

Blending Firm's Phone Number: _____

Blending Firm's Contact person: _____

It is understood and agreed that no liability shall attach to the Iowa Department of Agriculture and Land Stewardship (IDALS), or to any officer, employee, or representative of IDALS, in the event of damage or injury to articles, property, or persons associated with the performance of this Compliance Agreement.

The above-referenced Blending Firm hereby agrees that it shall comply with following conditions when blending corn containing aflatoxin in concentrations of higher than 20 ppb (parts per billion) and less than 500 ppb with corn contain aflatoxin in concentrations of less than 20 ppb:

- a. Corn contaminated with aflatoxin above 20 ppb may be blended with other corn to the extent that the resulting product is below the appropriate aflatoxin action level in corn used as or in animal feed. The blended corn will be shipped in interstate commerce or for use as or in feed for mature poultry, breeding swine, and finishing swine over 100 pounds, breeding cattle and finishing (feedlot) cattle as long as the aflatoxin levels are below the action levels set forth in FDA Guidance Document, Compliance Policy Guide- Section 683.100, "Action Levels for Aflatoxin in Animal Feeds." (attached)
- b. Once the blending operation is completed, each batch of blended corn will be analyzed to determine its aflatoxin level. The analysis shall be performed using US

Department of Agriculture Grain Inspection, Packers & Stockyards Administration (GIPSA) approved sampling and analysis protocols and testing procedures. Prior to the use of the blended corn, and before shipment in interstate commerce, the seller will certify that the aflatoxin level of the blended batch does not exceed the action level for the appropriate intended species.

- c. The Seller of corn blended pursuant to this process will provide the purchaser with a copy of the analytical results generated from the process described in subparagraph "b". In addition, the seller will obtain written assurance from the purchaser that blended corn will be used as or in feed for mature poultry, breeding swine, finishing swine over 100 pounds, breeding cattle and finishing (feedlot) cattle pursuant to the terms of Compliance Policy Guide-Section 683.100.
- d. The blended corn will be clearly identified and labeled for animal feed use only.
- e. Corn containing aflatoxin levels greater than 500 ppb cannot be blended.

Term of this Compliance Agreement. This Agreement shall be in effect from the date of its completed execution until October 31, 2012. However, should the US Food and Drug Administration (FDA) extend, decrease or terminate the term of its Aflatoxin Blending Waiver as set out in its September 17, 2012 letter to Secretary Bill Northey, the term of this Agreement shall match the term of the FDA's Blending Waiver without further action of the parties to this Agreement.

The Blending Firm hereby expressly agrees that its Representative, on its behalf, has read the terms and conditions of this Compliance Agreement, and as the Representative of the Blending Firm, agrees that the Blending Firm shall comply with the terms and conditions contained in the Compliance Agreement. The Blending Firm's Representative, on behalf of the Firm, hereby expressly agrees that he or she understands that failure to comply with the terms of this Compliance Agreement may result in the cancellation of this Agreement and the termination of the Blending Firm's ability to utilize the terms of this Agreement.

Blending Firm Representative's Signature	Title	Date
Blending Firm Representative's Printed Name		
IDALS Representative's Signature	Title	<u>October 31, 2012</u> Expiration Date