

TRANSMITTAL OF RULES ADOPTED

FROM: AGRICULTURE  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)  
Olympia 98501

The enclosed  Permanent rules, being order No. 1164  
 Emergency rules

relating to (Name of rules or description of subject matter)

The definition of registration, labeling, packaging, distribution, and sale of commercial feeds.

(ALTERNATIVE A. Use only for adoption of permanent rules)

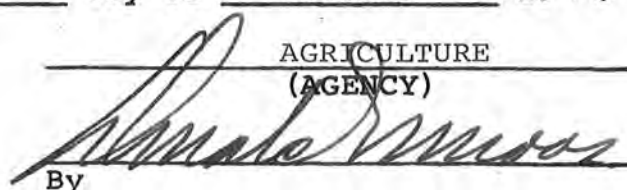
pursuant to Notice No. 2769 <sup>①</sup> filed with the code reviser on 8/28/70 <sup>②</sup> were regularly adopted as permanent rules of this agency at Olympia, Washington on 10/1/70 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be 11/1/70 <sup>③</sup>

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at \_\_\_\_\_ on \_\_\_\_\_ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this \_\_\_\_\_ 1st day of October 19 70.

STATE OF WASHINGTON  
**FILED**  
OCT 1 1970  
CODE REVISER'S OFFICE  
KET # 3124 FILE # 23

AGRICULTURE  
(AGENCY)  
  
By \_\_\_\_\_  
DONALD W. MOOS  
Title DIRECTOR

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)  
② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)  
③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
Order No. 1164  
Amending Order No. 1016  
Effective November 1, 1970

AMD            WAC 16-200-007 PROMULGATION. I, Donald W. Moos, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapter 15.53 RCW, after due notice as provided under chapters 42.32 and 34.04 RCW, and a public hearing held in Seattle, Washington on September 24, 1970, do hereby amend Order 1016 and WAC 16-200-760, 790, 800, 830, 850, and 860.

AMD            WAC 16-200-760 BRAND AND PRODUCT NAMES. (1) The brand or product name must not be misleading. If the name indicates the feed is made for a specific use, the character of the feed must conform therewith. A mixture labeled "dairy feed," for example, must be suitable for that purpose.

(2) When not specifically stated in chapter 15.53 RCW or otherwise designated by the department, the department will be guided by the definitions of feed ingredients and feed terms as established in the latest official publication of the Association of American Feed Control Officials in accepting product names for single ingredient feeds.

(3) A name of a commercial feed shall not be derived from one or more ingredients of a mixture to the exclusion of other ingredients and shall not be one representing any component of a mixture unless all components are included in the name: PROVIDED, That if any ingredient or combination of ingredients is intended to impart a distinctive characteristic to the product which is of significance to the purchaser, the name of that ingredient or combination of ingredients may be used as a part of the brand name or product name, if in the opinion of the department, the ingredient or combination of ingredients is present in sufficient quantity to impart a distinctive characteristic to the product, that it does not constitute a representation that the ingredient or combination of ingredients is present to the exclusion of other ingredients, and that it is not otherwise false or misleading.

(4) The word vitamin, or a contraction thereof, or any word suggesting vitamin, can be used only in the name of a feed which is represented to be a vitamin supplement, and which is labeled with the minimum content of each vitamin declared, as specified in WAC 16-200-770(3).

(5) The term "mineralized" shall not be used in the name of a feed except "Trace Mineralized Salt." When so used, the product must contain significant amounts of trace minerals which are recognized as essential for animal nutrition.

(6) When the brand name carries a percentage value, it shall be understood to signify protein and/or protein equivalent content. If any other percentage values are used in brand names, they must be followed by the proper description.

(7) Commercial feed shall be considered as a distinct brand when differing either in guaranteed analysis, trademark name, or any other characteristic method of marking: PROVIDED, That a brand may be sold in various physical forms.

(8) The word "protein" shall not be permitted in the brand name of a feed that contains added nonprotein nitrogen.

AMD

WAC 16-200-790 INGREDIENT STATEMENT. (1) Each ingredient must be specifically named. When not specifically stated in chapter 15.53 RCW or otherwise designated by the department, the department will be guided by the names and definitions as established in the latest official publication of the Association of American Feed Control Officials.

(2) Pursuant to RCW 15.53.9016(1)(d), collective terms for the grouping of feed ingredients as defined in the Official Definitions of Feed Ingredients published in the 1971 Official Publication of the Association of American Feed Control Officials may be used in lieu of the individual ingredients: PROVIDED, That

(a) When a collective term for a group of the ingredients is used on the label, individual ingredients within that group shall not be listed on the label.

(b) The manufacturer shall provide the Feed Control Official, upon request, with a listing of individual ingredients, within the defined groups, that were used in the manufacture of a specific feed.

(3) Moisture guarantees shall be shown as a part of the guaranteed analysis on the labels of all canned pet foods. When water is added in the preparation of canned foods for animals, water must be listed as an ingredient.

(4) The term "dehydrated" may precede the name of any product that has been artificially dried.

(5) No reference to quality or grade of an ingredient shall appear in the ingredient statement of a feed.

(6) Pursuant to RCW 15.53.9016(1)(d) of the law, alternative listing of ingredients within the following groups may be shown on the label or label facsimile on an and/or basis.

(a) Corn, hominy feed, wheat, barley, oats, and grain sorghums.

(b) Cottonseed meal, soybean meal, peanut meal, linseed meal, corn gluten meal, safflower meal, and rapeseed meal.

(c) Beet molasses, corn sugar molasses, citrus molasses, and cane molasses.

(d) Wheat bran, wheat mill run, and wheat middlings.

(e) Wheat shorts, wheat red dog, corn germ meal, corn gluten feed, and grain sorghum gluten feed.

(f) Dehydrated alfalfa meal and dehydrated grass meal.

(7) The term "degermed" must precede the name of any product from which the germ was wholly or partially removed.

(8) The use of commercial, copyrighted brand, or trade names in the guarantees and ingredient listing shall not be permitted.



AMD

WAC 16-200-800 LABELING. (1) The information required in RCW 15.53.9016(1) of the law shall not be subordinated or obscured by other statements and designs and must appear in its entirety on the label or on the container: PROVIDED, That if required label information is printed on the back of the label, an appropriate statement such as "See reverse side" must be placed on the front: PROVIDED FURTHER, That each sack of customer-formula feed must contain a label bearing the name of the mixer; the name of the purchaser and/or a lot number, which shall be listed on the corresponding invoice; and the name of the medicant, if any. Customer-formula medicated feeds not stored on the customer's property shall have approved medicated label information attached to the lot, adequately identified and separated from other lots of commercial feeds.

(2) The names of all ingredients must be shown in letters or type of the same size.

(3) When feeds carry label information on both tag and bag, there shall be no difference with respect to name, ingredients, and guaranteed composition.

(4) No printed or written matter or design (e.g., picture of animal or bird) of any kind shall be attached to, appear on, or be distributed with feed if such matter is misleading or incorrect, or at variance in any respect with the information on the principal label.

(5) No statement may appear on a label which refers to or compares properties of the package contents to some other competitive product unless such other competitive product is specifically identified. A negative statement is not allowed on a label except when this provides information deemed by the director to be beneficial to the purchaser.

(6) When bulk commercial feeds are sacked and offered for sale, each container shall be accompanied by a registered label in accordance with the provisions of RCW 15.53.9016(1) of the law.

(7) Labeling which suggests that presence of added enzyme-bearing materials improves utilization of a commercial feed is prohibited.

(8) All bulk deliveries of commercial feed shall be accompanied by a registered label or a customer-formula invoice label.

AMD

WAC 16-200-830 NONPROTEIN NITROGEN. (1) Urea and other nonprotein nitrogen products defined in the official publication of the Association of American Feed Control Officials are accepted ingredients only in commercial feeds for ruminant animals as a source of equivalent crude protein and are not to be used in commercial feeds for other animals and birds.

(2) If the commercial feed contains more than 8.75% of equivalent crude protein from all forms of nonprotein nitrogen added as such, or exceeds one-third of the total crude protein, the label shall bear adequate directions for the safe use of feeds and a caution statement: CAUTION: USE AS DIRECTED. The directions for use and the caution statement shall be in type of such size so placed on the label that they will be read and understood by ordinary persons under customary conditions of purchase and use.

(3) The presence of added nonprotein nitrogen shall not require a duplication of the feeding directions or the warning or caution statements on medicated feed labels which contain adequate feeding directions and/or warning statements as long as those statements include sufficient information to insure the safe and effective use of this product due to the presence of nonprotein nitrogen.

AMD

WAC 16-200-850 MEDICATED FEEDS. (1) A medicated feed is any feed which contains drug ingredients intended or represented for the cure, mitigation, treatment, or prevention of diseases and internal parasites of animals other than man or which contains drug ingredients intended to affect the structure or any function of the body of animals other than man.

(2) In addition to the information required for non-medicated feeds, medicated feeds are required to carry the following information in their labeling:

(a) The word "medicated" shall appear directly following and below the product name, in type size no smaller than one-half the type size of the product name.

(b) A purpose statement shall appear below the word "medicated." It shall not differ from that stated in the antibiotic and food additive regulations.

(c) Directions for use of the medicated feed.

(d) The names and amounts of all active drug ingredients. Amounts are not required for low level antibiotics for growth promotion and feed efficiency in feeds which are to be fed continuously as a sole ration.

(e) A warning or caution statement for a withdrawal period when required for the particular drug contained in the feed.

(f) Warnings against misuse.

(3) When not specifically stated in Chapter 15.53 RCW or otherwise designated by the department, the department will be guided by the recommendations for registration of, and preparing labels for, medicated feeds as set forth in the Official Publication of the Association of American Feed Control Officials.


AMD

WAC 16-200-860 USED SACKS. Used sacks may be used again if thoroughly cleaned so that all feed and foreign matter is removed; and if the outer surface is free from all matter and labeling deceptive as to the contents of the sack: PROVIDED, That sacks used for chemicals, pesticides, treated seeds, or other potential adulterants shall not knowingly be used for feed.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated.

Signed at Olympia, Wa.

Date October 1, 1970

  
DONALD W. MOOS  
Director of Agriculture  
State of Washington