

# Chapter 16-256 WAC

## COMMERCIAL FEED RULES—PROCESSED ANIMAL WASTE

### **WAC**

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**WAC 16-256-001 Effective date.** Chapter 16-256 WAC, Commercial feed rules—Processed animal waste, becomes effective on July 1, 2004.

[Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-131, § 16-256-001, filed 11/19/03, effective 7/1/04.]

**WAC 16-256-010 "Animal waste" and "processed" defined.** "Animal wastes" means a material composed of excreta, with or without bedding materials and/or animal drugs, collected from poultry, ruminants or other animals except humans.

**"Lot identifier"** means a unique identifier for each lot, batch or production run that enables the manufacturer to accurately trace the complete manufacturing and distribution history of the product. A lot identifier is an individual lot, batch or production run number, code, date, or other suitable identification applied to the label, container, or package. In the case of bulk feed the lot identifier is on a label, invoice, or shipping document accompanying the feed.

**"Processed,"** as applied to animal waste, means thermally dehydrated, dry-stacked, ensiled, oxidized, chemically treated, microbiologically digested, chemically or physically fractionated, or treated by other processes that enable an animal waste product to comply with the standards established in this chapter.

**Note:** Commercial feed containing raw or unprocessed animal waste is considered adulterated under WAC 16-250-120(3).

[Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-131, § 16-256-010, filed 11/19/03, effective 7/1/04.]

**WAC 16-256-020 Processed animal waste products identified.** A product is considered a processed animal waste product only if it meets one of the definitions in the following table.

(11/19/03)

Processed Animal Waste Products		
Product Type	Description	Thermal Dehydration Limit
<b>Dried poultry waste (DPW)</b>	A processed animal waste product composed of the feces from commercial poultry	Thermally dehydrated to a moisture content not in excess of 12.00 percent
<b>Dried poultry waste-NPN extracted</b>	A processed animal waste product composed of the feces from commercial poultry which has been processed to remove part or all of the crude protein derived from nonprotein nitrogen (NPN) as urea and/or uric acid	Thermally dehydrated to a moisture content not in excess of 12.00 percent
<b>Dried poultry litter-(DPL)</b>	A processed animal waste product composed of a combination of feces from commercial poultry together with litter that was present in the floor production of poultry	Thermally dehydrated to a moisture content not in excess of 12.00 percent
<b>Dried ruminant waste-(DRW)</b>	A processed animal waste product composed of ruminant excreta	Thermally dehydrated to a moisture content not in excess of 12.00 percent
<b>Undried processed animal waste product</b>	A processed animal waste product composed of excreta, with or without litter, from poultry, ruminants or any other animal except humans	Contains in excess of 12.00 percent moisture

[Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-131, § 16-256-020, filed 11/19/03, effective 7/1/04.]

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**WAC 16-256-030 Labeling requirements for processed animal waste products.** The label, tag, or label invoice accompanying shipments of animal waste products must contain the information required in RCW 15.53.9016, this chapter and the following information:

(1) If the product contains drugs or drug residues, then the label must contain the following statement in boldface type at least one-half as large as the largest type appearing on the label:

"WARNING: THIS PRODUCT CONTAINS DRUG RESIDUES. DO NOT USE WITHIN THIRTY DAYS OF SLAUGHTER AND DO NOT USE THIRTY DAYS PRIOR TO OR DURING THE FOOD PRODUCTION PERIOD OF DAIRY ANIMALS AND/OR HENS."

(2) If the product contains high levels (15 ppm or greater) of copper, then the label must contain the following statement in boldface type at least one-half as large as the largest type appearing on the label:

"WARNING: CONTAINS HIGH LEVELS OF COPPER: DO NOT FEED TO SHEEP."

(3) If the product derives one-third or more of the guaranteed total crude protein from nonprotein nitrogen sources, the label shall provide adequate directions for safe use of the product and the precautionary statement:

"CAUTION: USE ONLY AS DIRECTED."

(4) Animal waste product labels, tags, or labeling must contain the following guarantees in percentages by weight in the following order and form:

- (a) Minimum crude protein;
- (b) Maximum crude protein from nonprotein nitrogen (NPN);
- (c) Minimum crude fat;
- (d) Maximum crude fiber;
- (e) Maximum moisture;
- (f) Maximum ash;
- (g) Minimum and maximum calcium (Ca);
- (h) Minimum phosphorus (P);
- (i) Maximum sodium (Na);
- (j) Maximum lignin (if the processed animal waste product is dried poultry litter and if the product contains wood-based bedding materials);
- (k) Maximum copper (Cu) (if the processed animal waste product is dried poultry waste or dried poultry litter and **does not** contain the warning "DO NOT FEED TO SHEEP").

(5)(a) Lot identifier that is sufficient to allow the manufacturer to accurately trace the complete manufacturing and distribution history of the product.

(b) Records relating the lot identifier to the manufacture, processing, packing, distribution, receipt, or holding of the product must be kept for one year after the last date of distribution.

(6) Mixed feeds containing processed animal waste products must:

(a) State on the label the maximum percentage and type of processed animal waste product used in the mixed feed; and

(b) Comply with additional labeling requirements under chapters 16-250 or 16-252 WAC for the species for which the product is mixed.

(7) Processed animal waste product labeling must contain, as part of the product name, the animal source and product type.

[Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-131, § 16-256-030, filed 11/19/03, effective 7/1/04.]

**WAC 16-256-040 Testing requirements for processed animal waste products.** (1) The purpose of the sampling and testing requirements in this section is to determine the presence of harmful materials or biological contaminants specified in WAC 16-256-070 and to assure compliance with the quality standards in that section.

(2) Any person seeking or maintaining a commercial feed license for any processed animal waste product facility must:

(a) Test those products, by representative sampling;

(b) Analyze those samples; and

(c) Keep accurate records of the test results for two years.

(3) The sample used must be of sufficient size to provide meaningful data that is statistically reliable.

(4) Before a processed animal waste product is distributed, the licensee must comply with the following sample and analyses requirements:

(a) Sufficient testing and analyses must be conducted to ensure that the last three consecutive production runs are consistent with the required quality standards in WAC 16-256-070.

(b) After the initial testing is completed, periodic analyses (at least one analysis each calendar quarter) must be conducted on subsequent production runs. Less frequent testing may be allowed when the analytical results show continued uniformity and a consistent margin of compliance. More frequent tests must be conducted when the analytical results show either a wide range of levels or levels close to established quality standard limits.

(5) Analysis of the samples used to determine if the processed animal waste meets the quality standards in WAC 16-256-070 must also include the following:

(a) Drugs used (or suspected of use) in feed or as a therapeutic treatment of the animals;

(b) Pesticides used on the animal, facilities, and wastes for pest control;

(c) Pathogenic organisms, at least to include *Salmonella* and *E. coli*;

(d) Heavy metals, including, but not limited to, arsenic, cadmium, copper, lead, mercury and selenium;

(e) Parasitic larva or ova; and

(f) Mycotoxins, such as aflatoxins.

(6) Sequential testing is required when the periodic analyses required by WAC 16-256-040(4) or other information available to the manufacturer of the ingredient indicates that:

(a) The ingredients are not within the limitations established in these regulations;

(b) Changes are made in the manufacturing process;

(c) New or expanded sources of the raw ingredients are used; or

(d) Changes occur in the drugs or pesticides used by the supplier(s) of the raw ingredient(s).

[Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-131, § 16-256-040, filed 11/19/03, effective 7/1/04.]

**WAC 16-256-050 Processed animal waste products—Commercial feed license required.** (1) A commer-

cial feed license is required for each facility that manufactures or distributes processed animal waste product intended, promoted, represented, advertised or distributed for use as a commercial feed or feed ingredient.

(2) The commercial feed license application form, to be completed by applicants and licensees, must include the:

- (a) Name and business address of the applicant;
- (b) Type of business the firm is engaged in (feed manufacturer, dealer, broker, etc.);
- (c) Type of commercial feed distributed (processed animal waste product, medicated feed, complete feed, feed supplement, animal products, etc.);
- (d) The statutory registration fee of fifty dollars;
- (e) A copy of the processed animal waste label that the applicant proposes to use;
- (f) A detailed description of sampling procedures used to sample the processed animal waste product for analysis;
- (g) A sampling schedule;
- (h) A full description of all tests made; and
- (i) Test results showing that the processed animal waste product meets the standards in WAC 16-256-070.

(3) The department may take an official sample of the processed animal waste product for examination and analysis before issuing a commercial feed license for a facility that manufactures or distributes processed animal waste products.

[Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-131, § 16-256-050, filed 11/19/03, effective 7/1/04.]

**WAC 16-256-060 Procedures for denying or revoking a commercial feed license for a processed animal waste product facility.** (1) A commercial feed license for a processed animal waste product facility will be denied or revoked if the:

(a) Applicant or the processed animal waste product is determined to be in violation of any Washington state statute

or Washington state agency rule or regulation affecting or relating to the distribution of commercial feeds in this state.

(b) Processed animal waste product does not meet the quality standards in WAC 16-256-070.

(c) Processed animal waste product label does not comply with the requirements of chapter 15.53 RCW and WAC 16-256-030.

(d) Processed waste product is not labeled in compliance with law and agency rules and regulations, including WAC 16-256-030 of these rules.

(e) Applicant or licensee fails to perform the testing as specified in WAC 16-256-256 or to accurately maintain and make available to the director or his designee for inspection and copying, upon demand, the records required in WAC 16-256-080.

(2)(a) When an animal waste product or labeling, or other material required to be submitted with an application fails to comply with the requirements of these rules, the director must notify the applicant why the application does not comply so the applicant can make the necessary corrections.

(b) If, upon receipt of such a notice, the applicant does not make the necessary corrections, the director must deny the license application for the processed animal waste product facility. The applicant may then request a hearing under chapter 34.05 RCW.

(3) After determining that an animal waste product or its labeling does not comply with the provisions of chapter 15.53 RCW or WAC 16-256-030, the department may revoke the facility's license. If aggrieved by the decision, the licensee may request a hearing as authorized under chapter 34.05 RCW.

[Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-131, § 16-256-060, filed 11/19/03, effective 7/1/04.]

**WAC 16-256-070 Quality standards for processed animal waste products.** (1) Dried animal waste products must comply with the requirements in the following table:

Dried Animal Waste Products					
	Required Minimum/ Maximum Content	Dried Poultry Waste	Dried Poultry Waste-NPN Extracted	Dried Poultry Litter	Dried Ruminant Waste
<b>Crude protein</b>	At least	18.00%	11.00%	18.00%	12.00%
<b>Crude fiber</b>	No more than	15.00%	15.00%	25.00%	40.00%
<b>Moisture</b>	No more than	12.00%	12.00%	12.00%	12.00%
<b>Ash</b>	No more than	30.00%	30.00%	20.00%	30.00%
<b>Feathers</b>	No more than	1.00%	1.00%	4.00%	N/A
<b>Combined straw, wood, wood shavings, litter, dirt, sand, rocks, and other similar extraneous materi- als</b>	No more than	N/A	N/A	N/A	40.00%

(2) Processed animal waste products must not contain:

(a) Any extraneous materials such as, but not limited to, metal, glass, wire or nails (except for undried processed animal waste products in subsection (4) of this section and dried ruminant waste products in subsection (6) of this section); or

(b) Any harmful pathogenic organisms, pesticide residues, harmful parasites, or drug residues except as allowed in WAC 16-256-030(1); or

(c) Other toxic or deleterious substances above levels permitted by department statute or regulation or which could be harmful to the animals or could result in residue in tissues of food products; or

(d) By-products of animals at levels in excess of those allowed by statute or regulation.

(3) Processed animal waste products must not contain:

(a) Aflatoxin in excess of 20 parts per billion (ppb); and

(b) More than a total of 500 parts per million (ppm) of heavy metals such as mercury, lead, bismuth, copper, cadmium, arsenic, antimony, and tin.

(4) Undried processed animal waste products must contain no more than forty percent combined straw, wood, wood shavings, litter, dirt, sand, rocks and other extraneous materials.

(5) To aid in maintaining a stable microbiological quality, any product labeled as, or containing dried animal waste products, must be maintained at no more than twelve percent moisture.

(6) Any processed animal waste product that does not meet the applicable quality standards must be:

(a) Further processed until the quality standards are met;

or

(b) Diverted to nonfeed or nonfood uses; or

(c) Destroyed.

[Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-131, § 16-256-070, filed 11/19/03, effective 7/1/04.]

**WAC 16-256-080 Records required for processed animal waste products.** Any licensed processed animal waste product facility must keep accurate records for two years containing the following information:

(1) All sources of the raw materials used in the production of processed animal waste products and the date those raw materials were acquired including information on drug and pesticide use.

(2) All production batches of processed animal waste products including the code or other method used to identify the batch or date of production.

(3) All distribution of processed animal waste products including the:

(a) Name and address of the purchaser or to whom the product was distributed;

(b) Date the product was distributed;

(c) Quantity of the product distributed; and

(d) Production code for the product distributed.

(4) Test sampling and analysis records required by WAC 16-256-040.

[Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-131, § 16-256-080, filed 11/19/03, effective 7/1/04.]