

Chapter 16-250 WAC COMMERCIAL FEED

Last Update: 1/15/20

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 16-250-001 | Effective date. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-001, filed 11/19/03, effective 7/1/04.] Repealed by WSR 05-18-094, filed 9/7/05, effective 10/8/05. Statutory Authority: Chapters 15.53 and 34.05 RCW. |
| 16-250-005 | Commercial feed regulated by this chapter. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-005, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-007 | The Code of Federal Regulation. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-007, filed 9/7/05, effective 10/8/05.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-010 | Commercial feed terms and definitions. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-010, filed 9/7/05, effective 10/8/05; WSR 03-23-128, § 16-250-010, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-015 | Feed ingredient names and definitions. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-015, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-018 | Customer-formula feed labeling required. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-018, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-020 | Label information and recordkeeping requirements for customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-020, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-028 | Commercial feed labeling required except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-028, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-030 | Recordkeeping requirements and label information required on all commercial feed labels except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-030, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-035 | Format required for all commercial feed labels except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-035, filed 9/7/05, effective 10/8/05; WSR 03-23-128, § 16-250-035, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-040 | Product or brand name label information required for all commercial feeds except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-040, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |
| 16-250-042 | Label information required when a drug is used in commercial feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-042, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. |

16-250-045 Purpose of feed statement requirements for commercial feed, except grain mixture feeds. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-045, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-050 Guarantee requirements that apply to WAC 16-250-052 through 16-250-065. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-050, filed 9/7/05, effective 10/8/05; WSR 03-23-128, § 16-250-050, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-051 Exemptions from the guarantees required in WAC 16-250-052 through 16-250-063. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-051, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-052 Guarantees for all swine commercial feed except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-052, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-053 Guarantees for all poultry commercial feed (broilers, layers and turkeys) except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-053, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-054 Guarantees for all beef cattle commercial feed except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-054, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-055 Guarantees for all dairy cattle commercial feed except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-055, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-056 Guarantees for all equine commercial feed except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-056, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-057 Guarantees for all goat and sheep commercial feed except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-057, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-058 Guarantees for all duck and goose commercial feed except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-058, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-059 Guarantees for all fish commercial feed except customer-formula feed and specialty pet food. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-059, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-060 Guarantees for all rabbit commercial feed except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-060, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-063 Guarantees for commercial feeds for animal species not specified in WAC 16-250-052 through 16-250-060 or in chapter 16-252 WAC, except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-063, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-065 Guarantees for grain mixture commercial feeds, except customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-065, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-067 Guarantees for commercial feed sold primarily for sugar content. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-067, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-068 Guarantees for vitamin/mineral premix and base mix commercial feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-068, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-069 Expression of guarantees—Expressed as is. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-069, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-070 Expression of guarantees—Sliding-scale method prohibited. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-070, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.

16-250-071 Expression of guarantees—Protein, amino acids, fat, and fiber. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-071, filed 11/19/03, effective

- 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-072 Expression of guarantees—Minerals. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-072, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-073 Expression of guarantees—Minimum vitamin content. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-073, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-074 Expression of guarantees—Drugs. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-074, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-075 Expression of guarantees and special requirements—Commercial feeds containing any added nonprotein nitrogen. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-075, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-076 Expression of guarantees—Microorganisms and enzymes. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-076, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-080 Substantiating nutritional suitability of commercial feed except for customer-formula feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-080, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-090 Feed ingredient statement terms and recordkeeping requirements. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-090, filed 9/7/05, effective 10/8/05; WSR 03-23-128, § 16-250-090, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-095 Drug and feed additive requirements. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-095, filed 9/7/05, effective 10/8/05; WSR 03-23-128, § 16-250-095, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-100 Directions for use and precautionary statement requirements. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-100, filed 9/7/05, effective 10/8/05; WSR 03-23-128, § 16-250-100, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-110 Screenings. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-110, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-120 Adulteration of feed. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-120, filed 9/7/05, effective 10/8/05; WSR 03-23-128, § 16-250-120, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-140 Use of artificial coloring. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-140, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-150 Reusing bags, totes, and containers. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-150, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-155 Tonnage fee requirements. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-155, filed 9/7/05, effective 10/8/05. Statutory Authority: Chapter 15.53 RCW, 2003 1st sp.s. c 25, and chapter 34.05 RCW. WSR 04-14-076, § 16-250-155, filed 7/6/04, effective 1/1/05. Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-155, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-160 Commercial feed license application requirements. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-160, filed 9/7/05, effective 10/8/05; WSR 03-23-128, § 16-250-160, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-170 Commercial feed label submission requirements. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 03-23-128, § 16-250-170, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18, effective 11/24/18. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW.
- 16-250-180 Good manufacturing practices adopted. [Statutory Authority: Chapters 15.53 and 34.05 RCW. WSR 05-18-094, § 16-250-180, filed 9/7/05, effective 10/8/05; WSR 03-23-128, § 16-250-180, filed 11/19/03, effective 7/1/04.] Repealed by WSR 18-21-191, filed 10/24/18,

WAC 16-250-002 Purpose. This chapter is pursuant to RCW 15.53.9012 and regulates commercial feed distributed in Washington state for the purpose of uniformity with federal regulations and national consensus codes and ultimately to protect consumers from contaminated, adulterated, or misbranded commercial feed.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-002, filed 10/24/18, effective 11/24/18.]

WAC 16-250-004 Applicability. (1) This chapter applies to commercial feed as defined in RCW 15.53.901 which includes, but is not limited to, food for beef cattle, dairy cattle, equine, goats and sheep, chickens and turkeys, ducks and geese, fish, rabbits, and swine.

(2) Pet food for dogs (*Canis familiaris*), cats (*Felis catus*), and specialty pet food for any animal normally maintained in a household such as, but not limited to, rodents, ornamental birds, ornamental fish, reptiles and amphibians, ferrets, hedgehogs, marsupials, and rabbits not raised for food or fur are regulated under chapter 16-252 WAC.

(3) Processed animal waste as a commercial feed is regulated under chapter 16-256 WAC.

(4) If adulterated under RCW 15.53.902 for some but not all purposes, the following commodities are subject to the requirements of this chapter. If unadulterated, the following commodities are exempt from the requirements of this chapter.

(a) Unmixed whole seeds and physically altered entire unmixed seeds when such seeds are not chemically changed.

(b) Raw meat, hay, loose salt, straw, stover, silage, cobs, husks, and hulls when such commodities are not ground, mixed or intermixed with other materials.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-004, filed 10/24/18, effective 11/24/18.]

WAC 16-250-006 Adoption of federal regulations and national consensus codes—Order of precedence. (1) Adoption of regulations under the Federal Food, Drug and Cosmetic Act in this chapter is of the version effective February 9, 2017, and 21 U.S.C. 301 et seq., in this chapter is adoption of the version effective September 27, 2017.

(2) Adoption of provisions under the Association of American Feed Control Officials (AAFCO) official publication in this chapter is adoption of the provisions in the 2018 edition.

(3) If there is conflict between this chapter, chapter 15.53 RCW, adopted federal regulations, and adopted AAFCO provisions, the conflict must be resolved by giving precedence in the following order:

- (a) Adopted federal regulations;
- (b) Chapter 15.53 RCW;
- (c) This chapter; and

(d) Adopted AAFCO provisions.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-006, filed 10/24/18, effective 11/24/18.]

WAC 16-250-008 Definitions and terms. (1) The department adopts the Official Feed Terms and the Official Common and Usual Names and Definitions of Feed Ingredients in the AAFCO official publication.

(2) In addition, the following definitions apply to this chapter:

"Dehydrated grass meal" means the aerial portion of a grass plant that is:

- (a) Cut before the formation of seed;
- (b) Reasonably free of other crop plants, weeds, and mold;
- (c) Finely ground; and
- (d) Dried by artificial thermal means.

"Grain mixture feed" means mixed or intermixed whole or physically altered grains that:

- (a) Are not chemically altered;
- (b) May or may not contain molasses; and
- (c) Except for molasses, contain no other additives.

"Grass seed by-products meal or pellets" means a ground product consisting of light and broken seeds, hulls, chaff, straw, and some weed seeds but excluding sand, dirt, and heavy weed seeds.

"Grass seed screenings meal or pellets" means a product comprised chiefly of hulls obtained from the cleaning of various grass seeds.

"Guarantee" means a listing of specified nutrients or nonnutritive substances contained in a commercial feed that the manufacturer or distributor named on the label warrants.

"Guaranteed analysis" means a listing of the minimum, maximum or both minimum and maximum concentrations of specified nutrients contained in a commercial feed that the manufacturer or distributor named on the label warrants. Both minimum and maximum concentrations of specified nutrients contained in a commercial feed are stated on an "as is" basis rather than on a "one hundred percent moisture free" basis in units specified by these rules.

"Guarantor" means any person whose name appears on the label of a commercial feed and is responsible for:

- (a) Product/label information that is not misleading or misbranded; and
- (b) Compliance with product/label information and all applicable rules and regulation; and
- (c) Licensing the facility that distributes in/into the state.

"Ingredient statement" means a collective and contiguous listing on the label of all ingredients of which the commercial feed is composed.

"Label" means a display of written, printed, or graphic matter upon or affixed to the container in which a commercial feed is distributed, or on the invoice or delivery slip with which a bulk commercial feed is distributed. This includes statements and promotions on company websites or other internet-based customer interfaces.

"Labeling" means all labels and other written, printed, or graphic matter upon a commercial feed or any of its containers or wrappers, or accompanying such commercial feed. This includes statements and promotions on company websites or other internet-based customer interfaces.

"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.

"Net weight" means the weight of a commodity excluding any materials, substances, or items not considered to be part of the commodity. Examples of materials, substances, or items not considered to be part of a commodity include, but are not limited to, containers, conveyances, bags, wrappers, packaging materials, labels, individual piece coverings, decorative accompaniments, and coupons. (See RCW 19.94.010 (1)(i).)

"Nutritionally adequate" means the feed, when fed according to directions on the label, will meet the nutritional requirements of the class of animals for which the feed was manufactured.

"Nutritionally suitable" means nutritionally adequate.

"Pea bran" means a product consisting primarily of the various components from a pea splitting operation. Pea bran must contain at least ten percent crude protein and not more than thirty-eight percent crude fiber.

"Pea by-products meal" means a product containing light and broken peas, and offal from pea cleaning, which includes chips, pea powder, pea hulls, and screenings. Pea by-products meal must contain at least fifteen percent crude protein and not more than thirty percent crude fiber.

"Pea meal" means a pea product resulting from the grinding of whole peas that are reasonably free of other crop seeds, weeds, and mold. Pea meal must contain at least twenty percent crude protein and not more than eight percent crude fiber.

"Pea screenings meal" means a product consisting primarily of the various components from the screening and cleaning of peas. Pea screenings meal must contain at least ten percent crude protein and not more than thirty-eight percent crude fiber.

"Principal display panel" means the out-facing side of the feed tag, or if no tag, the part of the label that is most likely to be displayed, presented, shown or examined under normal and customary conditions of display for retail sale.

"Prohibited mammalian protein" has the same meaning as that term is defined in 21 C.F.R. Part 589.2000(a)(1).

"Quantity statement" means the part of the label expressing net weight (mass), net volume (liquid or dry) or count.

"Repackage" means taking commercial feed from packages (no larger than one hundred pounds for dry feed or fifty-five gallons for liquid feed) and placing it into smaller packages for resale.

"Salvage commercial feed" means commercial feed still under control of the original manufacturer and will not be offered for sale at retail. Examples include, but are not limited to, start-up and over-run product, unpelleted commercial feed, specialty pet food fines, and other products not suitable for packaging for retail sale.

"Sell" or "sale" means all parts of exchanges concerning commercial feed including, but not limited to, advertising, offering, acceptance, dispensing, giving, delivering, serving, bartering, trading, or other supplying, holding for sale, and preparing for sale.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-008, filed 10/24/18, effective 11/24/18.]

WAC 16-250-012 Label format. (1) The department adopts 21 C.F.R. Part 501 - Animal food labeling.

(2) Commercial feed, other than customer-formula feed, shall bear the information prescribed in this section on the label of the product and in the following format:

(a) Product name and brand name, if any, as specified in WAC 16-250-014(1).

(b) If a drug is used, label as specified in WAC 16-250-014(4).

(c) Purpose statement as specified in WAC 16-250-014(5).

(d) Guaranteed analysis as specified in WAC 16-250-014(6) and 16-250-036.

(e) Feed ingredients as specified in WAC 16-250-014(7) and 16-250-064.

(f) Directions for use and precautionary statements as specified in WAC 16-250-014(8).

(g) Name and principal mailing address of manufacturer or persons responsible for distributing the feed as specified in WAC 16-250-014(9).

(h) Quantity statement as specified in WAC 16-250-014(10).

(3)(a) The information as required in (2)(a), (b), (c) and (h) of this section must appear in its entirety on the principal display panel.

(b) The information as required in (2)(d), (e), (f) and (g) of this section shall be displayed in a prominent place on the feed tag or label, but not necessarily on the principal display panel. When a precautionary statement required by WAC 16-250-078 does not appear on the principal display panel, it must be referenced on the principal display panel with a statement such as "See back of label for precautions."

(4) None of the information required in this section shall be subordinated or obscured by other statements or designs.

(5) Customer-formula feed shall be accompanied with the information prescribed in this chapter using labels, invoice, delivery ticket, or other shipping document bearing the following information:

(a) The name and address of the manufacturer;

(b) The name and address of the purchaser;

(c) The date of sale or delivery;

(d) The customer-formula feed name and brand name, if any; and

(e) The product name and net quantity of each commercial feed and each other ingredient used in the customer-formula feed must be on file at the plant producing the product. These records do not have to be delivered with the customer-formula feed, but they must be:

(i) Kept on file for at least one year after the date of the last distribution;

(ii) Available to the purchaser, the dealer making the distribution, and the department on request; and

(iii) Meet the ingredient statement requirements in WAC 16-252-064.

(f) The direction for use and precautionary statements as required in WAC 16-250-078 and 16-250-082(1);

(g) If a drug containing product is used:

- (i) The purpose of the medication (claim statement);
- (ii) The established name of each active drug ingredient and the level of each drug used in the final mixture expressed in accordance with WAC 16-250-036(4); and
- (h) The quantity statement.
- (6) There are no label format requirements for customer-formula feed. However, a label, invoice, delivery ticket or other shipping document containing all of the information required in WAC 16-250-012(5) must:
 - (a) Accompany all deliveries of bulk or packaged customer-formula feed; and
 - (b) Be given to the purchaser; or
 - (c) If the purchaser is not present when the customer-formula feed is delivered, the label, invoice, delivery ticket or other shipping document may be left with the delivered feed in a place predetermined by the purchaser.
- (7) All commercial feed must be labeled with a lot identifier sufficient to allow the manufacturer to accurately trace the complete manufacturing and distribution history of the product, but the lot identifier may be separate from the label information required in WAC 16-250-014.
- (8) Labels must state all required label information in English. Commercial feed may be additionally labeled in other languages if the other language labels provide the same information as the English version of the label.
- (9) No printed or written material (for example, pictures of animals or birds) of any kind that is misleading, incorrect, or at variance in any respect with the information required on the label may be attached to, appear on, or distributed with commercial feed.
- (10) No label may contain statements referring to a competitive product or comparing the properties of a packaged feed to those of a competitive product unless the label specifically identifies the competitive product.
- (11) No label may contain negative statements about a competitive product unless the director determines that such information is beneficial to the product's purchaser.
- (12) The term "organic" may not appear on labels or shipping documents of any commercial feed unless the feed was produced under conditions that comply with the National Organic Standard for the production and handling of organic crops, livestock and processed food products. The National Organic Standard may be obtained from the department, or on the internet at <http://www.ams.usda.gov/rules-regulations/organic>.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-012, filed 10/24/18, effective 11/24/18.]

WAC 16-250-014 Label information. Commercial feed, other than customer-formula feed, shall be labeled with the information prescribed in this section.

- (1) Product name and brand name, if any.
 - (a) The brand or product name must be appropriate for the intended use of the feed and 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 commercial feed for a particular animal class, must be suitable for that purpose.

(b) Commercial, registered brand or trade names are not permitted in guarantees or ingredient listings and may only be used in the product name of feeds produced by or for the firm holding the rights to such a name.

(c) The 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 components 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 the ingredients or combination of ingredients is quantitatively guaranteed in the guaranteed analysis, and the brand or product name is not otherwise false or misleading.

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

(e) When the name carries a percentage value, it shall be understood to signify protein and/or equivalent protein content only, even though it may not explicitly modify the percentage with the word "protein": Provided, that other percentage values may be permitted if they are followed by the proper description and conform to good labeling practice. Digital numbers shall not be used in such a manner as to be misleading or confusing to the customer.

(f) Single ingredient feeds shall have a product name in accordance with the designated definition of feed ingredients as recognized by the Association of American Feed Control Officials unless the department designates otherwise.

(g) 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 16-250-036(3).

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

(i) The term "meat" and "meat by-products" shall be qualified to designate the animal from which the meat and meat by-products is derived unless the meat and meat by-products are made from cattle, swine, sheep and/or goats.

(j) If the commercial feed consists of raw milk, the words, "Raw (blank) Milk" shall appear conspicuously on the principal display panel. (Blank is to be completed by using the species of animal from which the raw milk is collected.)

(2) Commercial feed must be considered a distinct brand if it differs in guaranteed analysis, trademark name, or any other characteristic method of marking. However, this requirement does not prevent a brand from being distributed in various physical forms.

(3) If the brand name contains either a percentage value that signifies crude protein or the word "protein," then the feed must contain no more than one and one-quarter percent nonprotein nitrogen.

(4) If a drug is used, the following shall appear on the label:

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

(b) Purpose statement as required in subsection (5) of this section.

(c) The purpose of medication (claim statement).

(d) An active ingredient statement listing the active drug ingredients by their established name and the amounts in accordance with WAC 16-250-036(4).

(5) Purpose statement:

(a) The purpose statement shall contain the specific species and animal class(es) for which the feed is intended as defined in subsection (6) of this section.

(b) The manufacturer shall have flexibility in describing in more specific and common language the defined animal class, species and purpose while being consistent with the category of animal class defined in subsection (6) of this section which may include, but is not limited to, weight range(s), sex, or ages of the animal(s) for which the feed is manufactured.

(c) The purpose statement may be excluded from the label if the product name includes a description of the species and animal class(es) for which the product is intended.

(d) The purpose statement of a premix for the manufacture of feed may exclude the animal class and species and state "For Further Manufacture of Feed" if the nutrients contained in the premix are guaranteed and sufficient for formulation into various animal species feeds and premix specifications are provided by the end user of the premix. This section is applicable to commercial feeds regulated under subsection (6)(k) of this section.

(e) The purpose statement of a single purpose ingredient blend, such as a blend of animal protein products, milk products, fat products, roughage products or molasses products may exclude the animal class and species and state "For Further Manufacture of Feed" if the label guarantees of the nutrients contained in the single purpose nutrient blend are sufficient to provide for formulation into various animal species feeds. This section is applicable to commercial feeds regulated under subsection (6)(k) of this section.

(f) The purpose statement of a product shall include a statement of enzyme functionality if enzymatic activity is represented in any manner.

(g) The statement of purpose for single ingredient feeds shall be stated as "Single Ingredient Feed" or "Feed Ingredient." The manufacturer of a single ingredient feed or feed ingredient shall have flexibility in describing in more specific and common language the intended use of the feed ingredient dependent on species and class.

(6) Guarantees - Crude protein, equivalent crude protein from nonprotein nitrogen, amino acids, crude fat, crude fiber, acid detergent fiber, neutral detergent fiber, calcium, phosphorus, salt and sodium shall be the sequence of nutritional guarantees when such guarantee is stated. Other required and voluntary guarantees should follow in a general format such that the units of measure used to express guarantees (percentage, parts per million, International Units, etc.) are listed in a sequence that provides a consistent grouping of the units of measure. Individual nutrient guarantees are not required if listed as exempt in (l) of this subsection.

(a) Required guarantees for swine formula feeds.

(i) Animal classes:

| Swine | |
|-----------------------------|-----------------------------|
| Class | Approximate Size |
| Prestarter | 2 to 11 pounds |
| Starter | 11 to 44 pounds |
| Grower | 44 to 110 pounds |
| Finisher | 110 pounds to market weight |
| Gilts, sows and adult boars | None specified |
| Lactating gilts and sows | None specified |

(ii) Guaranteed analysis for swine complete feeds and supplements (all animal classes) must include the following nutrients on the label in the order listed below:

| Swine Complete Feeds and Supplements |
|---|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage of crude protein; • Minimum percentage of lysine; • Minimum percentage of crude fat; • Maximum percentage of crude fiber; • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum and maximum percentage of salt (if added); • Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee; • Minimum selenium in parts per million (ppm). |

(b) Required guarantees for formula poultry feeds (broilers, layers and turkeys).

(i) Animal classes:

| Layers (chickens that are grown to produce eggs for food, e.g., table eggs) | |
|---|--|
| Classes | Approximate Age |
| Starting/growing | From day of hatch to approximately 10 weeks of age. |
| Finisher | From approximately 10 weeks of age to time first egg is produced. (Approximately 20 weeks of age). |
| Laying | From time first egg is laid throughout the time of egg production. |
| Breeders (chickens that produce fertile eggs for hatch replacement layers to produce eggs for food, table eggs) | From time first egg is laid throughout their productive cycle. |

| Broilers (chickens that are grown for human food) | |
|--|--|
| Classes | Approximate Age |
| Starting/growing | From day of hatch to approximately 5 weeks of age. |

| Broilers (chickens that are grown for human food) | |
|---|---|
| Classes | Approximate Age |
| Finisher | From approximately 5 weeks of age to market, (42 to 52 days). |
| Breeders (hybrid strains of chickens whose offspring are grown for human food - Broilers) | Any age and either sex. |

| Broiler, Breeders (chickens whose offspring are grown for human food) | |
|--|--|
| Classes | Approximate Age |
| Starting/growing | From day of hatch until approximately 10 weeks of age. |
| Finishing | From approximately 10 weeks of age to time first egg is produced, approximately 20 weeks of age. |
| Laying (fertile egg producing chickens - Broilers/roasters) | From day of first egg throughout the time fertile eggs are produced. |

| Turkeys | | |
|------------------|---|---|
| Classes | Purpose | Approximate Age |
| Starting/growing | Turkeys that are grown for human food. | Females - From day of hatch to approximately 13 weeks of age. |
| | | Males - From day of hatch to approximately 16 weeks of age. |
| Finisher | Turkeys that are grown for human food. | Females - From approximately 13 weeks of age to approximately 17 weeks of age. |
| | | Males - From 16 weeks of age to 20 weeks of age, (or desired market weight). |
| Laying | Female turkeys that are producing eggs. | From time first egg is produced, throughout the time they are producing eggs. |
| Breeder | Turkeys that are grown to produce fertile eggs. | Both sexes - From day of hatch to time first egg is produced (approximately 30 weeks of age). |

(ii) Guaranteed analysis for poultry complete feeds and supplements (all animal classes) must include the following nutrients on the label in the order listed below:

| Poultry Complete Feeds and Supplements |
|--|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage of crude protein; • Minimum percentage of lysine; • Minimum percentage of methionine; • Minimum percentage of crude fat; • Maximum percentage of crude fiber; • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum and maximum percentage of salt (if added); • Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee. |

(c) Required guarantees for beef cattle formula feeds.

(i) Animal classes:

| Beef Cattle | |
|--------------------|---|
| Classes | Production Stage |
| Calves | Birth to weaning. |
| Cattle on pasture | May be specific as to production stage; e.g., stocker, feeder, replacement heifers, brood cows, bulls, etc. |
| Feedlot cattle | Not specified. |

(ii) Guaranteed analysis for beef complete feeds and supplements (all animal classes) must include the following nutrients on the label in the order listed below:

| Beef Complete Feeds and Supplements |
|--|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage of crude protein; • Maximum percentage of equivalent crude protein from nonprotein nitrogen (NPN) when added; • Minimum percentage of crude fat; • Maximum percentage of crude fiber; • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum and maximum percentage of salt (if added); • Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee; • Minimum percentage of potassium; • Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added). |

(iii) Guaranteed analysis for beef mineral feeds must include the following nutrients (if added) on the label in the order listed below (all animal classes):

| Beef Mineral Feeds |
|--|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum and maximum percentage calcium; • Minimum percentage of phosphorus; • Minimum and maximum percentage of salt; • Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee; • Minimum percentage of magnesium; • Minimum percentage of potassium; • Minimum copper in parts per million (ppm); • Minimum selenium in parts per million (ppm); • Minimum zinc in parts per million (ppm); • Minimum vitamin A, other than precursors of vitamin A, in International Units per pound. |

(d) Required guarantees for dairy formula feeds.

(i) Animal classes:

| Dairy |
|--|
| Classes |
| Veal milk replacer |
| Herd milk replacer |
| Starter |
| Nonlactating dairy cattle: Replacement dairy heifers, dairy bulls and dairy calves |
| Lactating dairy cows |
| Dry dairy cows |

(ii) Guaranteed analysis for veal and herd replacement milk replacer must include the following nutrients on the label in the order listed below:

| Veal and Herd Replacement Milk Replacer |
|---|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage crude protein; • Minimum percentage crude fat; • Maximum percentage of crude fiber; • Minimum and maximum percentage calcium; • Minimum percentage of phosphorus; • Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added). |

(iii) Guaranteed analysis for dairy cattle complete feeds and supplements must include the following nutrients on the label in the order listed below:

| Dairy Cattle Complete Feeds and Supplements |
|--|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage of crude protein; • Maximum percentage of equivalent crude protein from nonprotein nitrogen (NPN) when added; • Minimum percentage of crude fat; • Maximum percentage of crude fiber; • Maximum percentage of acid detergent fiber (ADF); • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum selenium in parts per million (ppm); • Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added). |

(iv) Guaranteed analysis for dairy mixing and pasture mineral feeds must include the following nutrients (if added) on the label in the order listed below:

| Dairy Mixing and Pasture Mineral Feeds |
|---|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum and maximum percentage of salt; • Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee; • Minimum percentage of magnesium; • Minimum percentage of potassium; • Minimum selenium in parts per million (ppm); • Minimum vitamin A, other than the precursors of vitamin A, in International Units per pound. |

(e) Required guarantees for equine formula feeds.
 (i) Animal classes:

| Equine |
|-----------------------------------|
| Classes |
| Growing |
| Broodmare |
| Maintenance |
| Performance (including stallions) |

(ii) Guaranteed analysis for equine complete feeds and supplements (all animal classes) must include the following nutrients on the label in the order listed below:

| Equine Complete Feeds and Supplements |
|--|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage of crude protein; • Minimum percentage of crude fat; • Maximum percentage of crude fiber; • Maximum percentage of acid detergent fiber (ADF); • Maximum percentage of neutral detergent fiber (NDF); • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum copper in parts per million (ppm) (if added); • Minimum selenium in parts per million (ppm); • Minimum zinc in parts per million (ppm); • Minimum vitamin A, other than the precursors of vitamin A, in International Units per pound (if added). |

(iii) Guaranteed analysis for equine mineral feeds (all animal classes) must include the following nutrients on the label in the order listed below:

| Equine Mineral Feeds |
|--|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum and maximum percentage of salt (if added); • Minimum and maximum percentage of sodium; • Minimum copper in parts per million (ppm) (if added); • Minimum selenium in parts per million (ppm); • Minimum zinc in parts per million (ppm); • Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added). |

(f) Required guarantees for goat formula feeds.

(i) Animal classes:

| Goats |
|----------------|
| Classes |
| Starter |
| Grower |
| Finisher |
| Breeder |
| Lactating |

(ii) Guaranteed analysis for goat complete feeds and supplements (all animal classes) must include the following nutrients on the label in the order listed below:

| Goat Complete Feeds and Supplements |
|---|
| Nutrients |
| <ul style="list-style-type: none">• Minimum percentage of crude protein;• Maximum percentage of equivalent crude protein from nonprotein nitrogen (NPN) when added;• Minimum percentage of crude fat;• Maximum percentage of crude fiber;• Maximum percentage of acid detergent fiber;• Minimum and maximum percentage of calcium;• Minimum percentage of phosphorus;• Minimum and maximum percentage of salt (if added);• Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee;• Minimum and maximum copper in parts per million (ppm) (if added);• Minimum selenium in parts per million (ppm);• Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added). |

(g) Required guarantees for sheep formula feeds.

(i) Animal classes:

| Sheep |
|----------------|
| Classes |
| Starter |
| Grower |
| Finisher |
| Breeder |
| Lactating |

(ii) Guaranteed analysis for sheep complete feeds and supplements (all animal classes) must include the following nutrients on the label in the order listed below:

| Sheep Complete Feeds and Supplements |
|--|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage of crude protein; • Maximum percentage of equivalent crude protein from nonprotein nitrogen (NPN) when added; • Minimum percentage of crude fat; • Maximum percentage of crude fiber; • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum and maximum percentage of salt (if added); • Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee; • Minimum and maximum copper in parts per million (ppm) (if added, or if total copper exceeds 20 ppm); • Minimum selenium in parts per million (ppm); • Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added). |

- (h) Required guarantees for duck and geese formula feeds.
 (i) Animal classes:

| Ducks | |
|-------------------|------------------------|
| Classes | Approximate Age |
| Starter | 0 to 3 weeks of age |
| Grower | 3 to 6 weeks of age |
| Finisher | 6 weeks to market |
| Breeder Developer | 8 to 19 weeks of age |
| Breeder | 22 weeks to end of lay |

| Geese | |
|-------------------|------------------------|
| Classes | Approximate Age |
| Starter | 0 to 4 weeks of age |
| Grower | 4 to 8 weeks of age |
| Finisher | 8 weeks to market |
| Breeder Developer | 10 to 22 weeks of age |
| Breeder | 22 weeks to end of lay |

(ii) Guaranteed analysis for duck and geese complete feeds and supplements (for all animal classes) must include the following nutrients on the label in the order listed below:

| Duck and Geese Complete Feeds and Supplements |
|--|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage of crude protein; • Minimum percentage of crude fat; • Maximum percentage of crude fiber; • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum and maximum percentage of salt (if added); • Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee. |

(i) Required guarantees for fish complete feeds and supplements must include the following nutrients on the label in the order listed below must include the following nutrients on the label in the order listed below:

Animal species shall be declared in lieu of animal class:

| Fish |
|---|
| Species |
| Trout |
| Catfish |
| Species other than trout or catfish |
| Fish Complete Feeds and Supplements |
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage of crude protein; • Minimum percentage of crude fat; • Maximum percentage of crude fiber; • Minimum percentage of phosphorus. |

(j) Required guarantees for rabbit complete feeds and supplements.

(i) Animal classes:

| Rabbits | |
|----------------|--------------------------|
| Classes | Approximate Age |
| Grower | 4 to 12 weeks of age |
| Breeder | 12 weeks of age and over |

(ii) Guaranteed analysis for rabbit complete feeds and supplements must include the following nutrients on the label in the order listed below:

| Rabbit Complete Feeds and Supplements |
|---|
| Nutrients |
| <ul style="list-style-type: none"> • Minimum percentage of crude protein; • Minimum percentage of crude fat; • Minimum and maximum percentage of crude fiber (the maximum crude fiber shall not exceed the minimum by more than 5.0 units); • Minimum and maximum percentage of calcium; • Minimum percentage of phosphorus; • Minimum and maximum percentage of salt (if added); • Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee; • Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added). |

(k) The required guarantees of grain mixtures with or without molasses and feeds other than those described in (a) through (j) of this subsection shall include the following items, unless exempted in (l) of this subsection, in the order listed:

(i) Animal class(es) and species for which the product is intended.

(ii) Guaranteed analysis must include the following nutrients on the label in the order listed below:

| Grain Mixtures |
|--|
| <p>Nutrients</p> <ul style="list-style-type: none"> • Minimum percentage crude protein; • Maximum or minimum percentage of equivalent crude protein from nonprotein nitrogen as required in WAC 16-250-036(5); • Minimum percentage of crude fat; • Maximum percentage of crude fiber; • Minerals in formula feeds, to include in the following order: <ul style="list-style-type: none"> - Minimum and maximum percentage of calcium; - Minimum percentage of phosphorus; - Minimum and maximum percentage of salt (if added); - Minimum and maximum percentage of total sodium shall be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee; - Other minerals. • Minerals in feed ingredients - As specified by the official definitions of the Association of American Feed Control Officials; • Vitamins in such terms as specified in WAC 16-250-036(3); • Total sugars as invert on dried molasses products or products being sold primarily for their sugar content; • Viable lactic acid producing microorganisms for use in silages in terms specified in WAC 16-250-036(7); • A commercial feed (e.g., vitamin/mineral premix, base mix, etc.) intended to provide a specialized nutritional source for use in the manufacture of other feeds, must state its intended purpose and guarantee those nutrients relevant to such stated purpose. Article II of AAFCO's "Criteria for Labeling Nutritional Indicators" is not applicable to the label guarantees for these specialized commercial feeds. |

(l) Exemptions.

(i) A mineral guarantee for feed, excluding those feeds manufactured as complete feeds and for feed supplements intended to be mixed with grain to produce a complete feed for swine, poultry, fish, and veal and herd milk replacers, is not required when:

(A) The feed or feed ingredient is not intended or represented or does not serve as a principal source of that mineral to the animal; or

(B) The feed or feed ingredient is intended for nonfood producing animals and contains less than 6.5 percent total mineral.

(ii) Guarantees for vitamins are not required when the commercial feed is neither formulated for nor represented in any manner as a vitamin supplement.

(iii) Guarantees for crude protein, crude fat, and crude fiber are not required when the commercial feed is intended for purposes other than to furnish these substances or they are of minor significance relating to the primary purpose of the product, such as drug premixes, mineral or vitamin supplements, and molasses.

(iv) Guarantees for microorganisms are not required when the commercial feed is intended for a purpose other than to furnish these substances or they are of minor significance relating to the primary purpose of the product, and no specific label claims are made.

(v) The indication for animal class(es) and species is not required on single ingredient products if the ingredient is not intended, represented, or defined for a specific animal class(es) or species.

(7) Feed ingredients, collective terms for the grouping of feed ingredients, or appropriate statements as provided under the provisions of RCW 15.53.9016 (1)(c).

(a) The name of each ingredient as defined in the official publication of the Association of American Feed Control Officials, common or usual name, or one approved by the department.

(b) Collective terms for the grouping of feed ingredients as defined in the Official Definitions of Feed Ingredients published in the official publication of the Association of American Feed Control Officials in lieu of the individual ingredients; provided that:

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

(ii) The manufacturer shall provide the department, upon request, with a list of individual ingredients, within a defined group, that are or have been used at manufacturing facilities distributing in or into the state. These records must be available to the department for inspection and copying for at least two years after the last date of distribution of the commercial feed.

(8) Directions for use and precautionary statements or reference to their location if the detailed feeding directions and precautionary statements required by WAC 16-250-078 and 16-250-082 appear elsewhere on the label.

(9) Name and principal mailing address of the manufacturer or person responsible for distributing the feed. The principal mailing address shall include the street address, city, state, zip code; however, the street address may be omitted if it is shown in the current city directory or telephone directory.

(10) Quantity statement:

(a) Net quantity shall be declared in terms of weight, liquid measure or count, based on applicable requirements under Section 4 of the Fair Packaging and Labeling Act.

(b) Net quantity labeled in terms of weight shall be expressed both in pounds, with any remainder in terms, of ounces or common or decimal fractions of the pound, and in appropriate metric system units; or in the case of liquid measure, both in the largest whole unit (quarts, quarts and pints, or pints, as appropriate) with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart, and in appropriate metric system units.

(c) When the declaration of quantity of contents by count does not give adequate information as to the quantity of feed in the container, it shall be combined with such statement of weight, liquid measure, or size of the individual units as will provide such information.

(11) When screenings are added to unmixed by-product feed, the term "screenings" must appear on the label:

(a) In the same size of type as the brand name; and

(b) Either as part of or immediately below the brand name.

(12) License applicants and licensees must submit copies of their commercial feed labels and labeling to the department upon request for reasonable cause.

(13) When a commercial feed contains any ingredient or combination of ingredients for the purpose of imparting a distinct characteristic to the product that is significant to the purchaser, the name of that ingredient or combination of ingredients may be used as part of the brand name or product name if:

(a) The ingredient or combination of ingredients is present in sufficient quantity to impart a distinctive characteristic to the product or is present in amounts which have a material bearing upon the price of the product or upon acceptance of the product by the purchaser thereof; or

(b) It does not constitute a representation that the ingredient or combination of ingredients is present to the exclusion of other ingredients.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-014, filed 10/24/18, effective 11/24/18.]

WAC 16-250-036 Expression of guarantees. (1) The guarantees for crude protein, equivalent crude protein from nonprotein nitrogen, lysine, methionine, other amino acids, crude fat, crude fiber and acid detergent fiber shall be in terms of percentage.

(2) Mineral guarantees:

(a) When the calcium, salt, and sodium guarantees are given in the guaranteed analysis such shall be stated and conform to the following:

(i) When the minimum is below 2.5 percent, the maximum shall not exceed the minimum by more than 0.5 percentage point.

(ii) When the minimum is 2.5 percent but less than 5.0 percent, the maximum shall not exceed the minimum by more than one percentage point.

(iii) When the minimum is 5.0 percent or greater, the maximum shall not exceed the minimum by more than 20 percent of the minimum and in no case shall the maximum exceed the minimum by more than five percentage points.

(b) When stated, guarantees for minimum and maximum total sodium, and salt: Minimum potassium, magnesium, sulfur, phosphorus and maximum fluorine shall be in terms of percentage. Other minimum mineral guarantees shall be stated in parts per million (ppm) when the concentration is less than 10,000 ppm and in percentage when the concentration is 10,000 ppm (1 percent) or greater.

(c) Products labeled with a quantity statement (e.g., tablets, capsules, granules, or liquids) may state mineral guarantees in milligrams (mg) per unit (e.g., tablet, capsule, granule, or liquid) consistent with the quantity statement and directions for use.

(3) Guarantees for minimum vitamin content of commercial feed shall be listed in the order specified and are stated in mg/lb. or in units consistent with those employed for the quantity statement unless otherwise specified:

(a) Vitamin A, other than precursors of vitamin A, in International Units per pound.

(b) Vitamin D-3 in products offered for poultry feeding, in International Chick Units per pound.

(c) Vitamin D for other uses, International Units per pound.

(d) Vitamin E, in International Units per pound.

(e) Concentrated oils and feed additive premixes containing vitamins A, D and/or E may, at the option of the distributor be stated in units per gram instead of units per pound.

(f) Vitamin B-12, in milligrams or micrograms per pound.

(g) All other vitamin guarantees shall express the vitamin activity in milligrams per pound in terms of the following: Menadione, ri-

boflavin, d-pantothenic acid, thiamine, niacin, vitamin B-6, folic acid, choline, biotin, inositol, p-amino benzoic acid, ascorbic acid, and carotene.

(4) Guarantees for drugs shall be stated in terms of percent by weight, except:

(a) Antibiotics, present at less than two thousand grams per ton (total) of commercial feed shall be stated in grams per ton of commercial feed.

(b) Antibiotics present at two thousand or more grams per ton (total) of commercial feed, shall be stated in grams per pound of commercial feed.

(c) Labels for commercial feeds containing growth promotion and/or feed efficiency levels of antibiotics, which are to be fed continuously as the sole ration, are not required to make quantitative guarantees except as specifically noted in the Federal Food Additive Regulations for certain antibiotics, wherein, quantitative guarantees are required regardless of the level or purpose of the antibiotic.

(d) The term "milligrams per pound" may be used for drugs or antibiotics in those cases where a dosage is given in "milligrams" in the feeding directions.

(5) Commercial feeds containing any added nonprotein nitrogen shall be labeled as follows:

(a) For ruminants:

(i) Complete feeds, supplements, and concentrates containing added nonprotein nitrogen and containing more than 5 percent protein from natural sources shall be guaranteed as follows: Crude protein, minimum, ___ percent (this includes not more than ___ percent equivalent crude protein from nonprotein nitrogen).

(ii) Mixed feed concentrates and supplements containing less than 5 percent protein from natural sources may be guaranteed as follows: Equivalent crude protein from nonprotein nitrogen, minimum, ___ percent.

(iii) Ingredient sources of nonprotein nitrogen such as urea, diammonium phosphate, ammonium polyphosphate solution, ammoniated rice hulls, or other basic nonprotein nitrogen ingredients defined by the Association of American Feed Control Officials shall be guaranteed as follows: Nitrogen, minimum, ___ percent equivalent crude protein from nonprotein nitrogen, minimum, ___ percent.

(b) For nonruminants:

(i) Complete feeds, supplements and concentrates containing crude protein from all forms of nonprotein nitrogen, added as such, shall be labeled as follows: Crude protein, minimum ___ percent (this includes not more than ___ percent equivalent crude protein which is not nutritionally available to species of animal for which feed is intended).

(ii) Premixes, concentrates or supplements intended for nonruminants containing more than 1.25 percent equivalent crude protein from all forms of nonprotein nitrogen, added as such, must contain adequate directions for use and a prominent statement:

WARNING: This feed must be used only in accordance with directions furnished on the label.

(6) Mineral phosphatic materials for feeding purposes shall be labeled with the guarantee for minimum and maximum percentage of calcium (when present), the minimum percentage of phosphorus, and the maximum percentage of fluorine.

(7) Guarantees for microorganisms shall be stated in colony forming units per gram (CFU/g) when directions are for using the product

in grams, or in colony forming units per pound (CFU/lb.) when directions are for using the product in pounds. A parenthetical statement following the guarantee shall list each species in order of predominance.

(8) Guarantees for enzymes shall be stated in units of enzymatic activity per unit weight or volume, consistent with label directions. The source organism for each type of enzymatic activity shall be specified, such as: Protease (*Bacillus subtilis*) 5.5 mg amino acids liberated/min./milligram. If two or more sources have the same type of activity, they shall be listed in order of predominance based on the amount of enzymatic activity provided.

(9) Guarantees for dietary starch, sugars, and fructans for commercial feeds, other than customer-formula feed, pet food and specialty pet food products:

(a) A commercial feed which bears on its labeling a claim in any manner for levels of "dietary starch," "sugars," "fructans," or words of similar designation, shall include on the label:

(i) Guarantees for maximum percentage of dietary starch and maximum percentage sugars, in the guaranteed analysis section immediately following the last fiber guarantee.

(ii) A maximum percentage guarantee for fructans immediately following sugars, if the feed contains forage products.

(b) When such guarantees for dietary starch, sugars or fructans for commercial feeds appear on the label, feeding directions shall indicate the proper use of the feed product and a recommendation to consult with a veterinarian or nutritionist for a recommended diet.

(10) The labels on commercial feeds such as vitamin/mineral premix and base mix intended as a specialized nutritional source for use in the manufacture of other feeds, must state the intended purpose and guarantee that the nutrients are relevant to that purpose.

(11) When approved by the department, guarantees may be made for these special feeds even if there are no approved Association of Official Analytical Chemists (AOAC) methods for determining specific nutritional content of these specialized feeds.

(12) The sliding scale method of expressing a guaranteed analysis on a commercial feed label (for example "minimum crude protein 15-18 percent") is prohibited.

(13) Minerals, except salt, when quantitatively guaranteed, must be stated in terms of percentage of the element.

(14) Guaranteed analysis for all grain mixture, with or without molasses, commercial feed must include the following nutrients on the label in the order listed:

- (a) Minimum percentage of crude protein;
- (b) Minimum percentage of crude fat; and
- (c) Maximum percentage of crude fiber.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-036, filed 10/24/18, effective 11/24/18.]

WAC 16-250-044 Substantiation of nutritional suitability. (1) A commercial feed, other than a customer-formula feed, shall be nutritionally suitable for its intended purpose as represented by its labeling.

(2) If the department has reasonable cause to believe a commercial feed is not nutritionally suitable, the department may request

the feed manufacturer to either submit an "affidavit of suitability" or an alternative procedure acceptable to the department, certifying the nutritional adequacy of the feed. The affidavit of suitability or alternate procedure of suitability shall serve as substantiation of the suitability of the feed.

(3) If an affidavit of suitability, or alternative procedure acceptable to the department, is not submitted by the feed manufacturer within thirty days of written notification, the department may deem the feed adulterated under RCW 15.53.902 and order the feed removed from the marketplace.

(4) The affidavit of suitability shall contain the following information:

- (a) The feed company's name;
- (b) The feed's product name;
- (c) The name and title of the affiant submitting the document;
- (d) A statement that the affiant has knowledge of the nutritional content of the feed and based on valid scientific evidence the feed is nutritionally adequate for its intended purpose;
- (e) The date of submission; and
- (f) The signature of the affiant notarized by a certified notary public.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-044, filed 10/24/18, effective 11/24/18.]

WAC 16-250-064 Ingredients. (1) The name of each ingredient or collective term for the grouping of ingredients, when required to be listed, shall be the name as defined in the Official Definitions of Feed Ingredients as published in the AAFCO official publication, the common or usual name, or one approved by the department.

(2) The name of each ingredient must be shown in letters or type of the same size.

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

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

(5) A single ingredient product defined by the Association of American Feed Control Officials is not required to have an ingredient statement.

(6) Tentative definitions for ingredients shall not be used until adopted as official, unless no official definition exists or the ingredient has a common accepted name that requires no definition, (i.e., sugar).

(7) When the word "iodized" is used in connection with a feed ingredient, the feed ingredient shall contain not less than 0.007 percent iodine, uniformly distributed.

(8) Ingredients on labels must be listed in descending order by weight.

(9) The ingredient statement must not contain commercial, copyrighted, brand, or trade names.

(10) The term "degermed" must precede the name of any product from which germs were wholly or partially removed.

(11) If a drug is used, the drug does not have to be listed in the ingredient statement. However, the drug name is required to be listed on the label.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-064, filed 10/24/18, effective 11/24/18.]

WAC 16-250-078 Directions for use and precautionary statements.

(1) Directions for use and precautionary statements on the labeling of all commercial feeds and customer-formula feeds containing additives (including drugs, special purpose additives, or nonnutritive additives) shall:

(a) Be adequate to enable safe and effective use for the intended purposes by users with no special knowledge of the purpose and use of such articles; and

(b) Include, but not be limited to, all information described by all applicable regulations adopted under the Federal Food, Drug, and Cosmetic Act.

(2) Adequate directions for use and precautionary statements are required for feeds containing nonprotein nitrogen as specified in WAC 16-250-082.

(3) Adequate directions for use and precautionary statements necessary for safe and effective use are required on commercial feeds distributed to supply particular dietary needs or for supplementing or fortifying the usual diet or ration with any vitamin, mineral, or other dietary nutrient or compound.

(4) Raw milk distributed as a commercial feed shall comply with the provisions under chapters 15.36 and 15.37 RCW. The label shall display the following statements:

"WARNING: NOT FOR HUMAN CONSUMPTION - THIS PRODUCT HAS NOT BEEN PASTEURIZED AND MAY CONTAIN HARMFUL BACTERIA." and **"DECHARACTERIZED WITH HARMLESS FOOD COLORING."**

(5) The label type size must meet the following:

(a) The name and address of the producer or distributor in letters not less than one-fourth inch in size.

(b) The name of the contents in letters not less than one-fourth inch in size.

(c) The words **"WARNING: NOT FOR HUMAN CONSUMPTION - THIS PRODUCT HAS NOT BEEN PASTEURIZED AND MAY CONTAIN HARMFUL BACTERIA."** in letters at least one-half inch in size.

(d) The words **"DECHARACTERIZED WITH HARMLESS FOOD COLORING."** in letters not less than one-fourth inch in size.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-078, filed 10/24/18, effective 11/24/18.]

WAC 16-250-082 Nonprotein nitrogen. (1) Urea and other nonprotein nitrogen products defined in the AAFCO official publication are acceptable ingredients only in commercial feeds for ruminant animals as a source of equivalent crude protein. If the commercial feed contains more than 8.75 percent of equivalent crude protein from all forms of nonprotein nitrogen, added as such, or the equivalent crude protein from all forms of nonprotein nitrogen, added as such, exceeds one-third of the total crude protein, the label shall bear adequate directions for the safe use of feeds and a precautionary 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.

(2) Nonprotein nitrogen defined in the AAFCO official publication, when so indicated, are acceptable ingredients in commercial feeds distributed to nonruminant animals as a source of nutrients other than equivalent crude protein. The maximum equivalent crude protein from nonprotein nitrogen sources when used in nonruminant rations shall not exceed 1.25 percent of the total daily ration.

(3) On labels such as those for medicated feeds which bear adequate feeding directions and/or warning statements, the presence of added nonprotein nitrogen shall not require a duplication of the feeding directions or the precautionary statements as long as those statements include sufficient information to ensure the safe and effective use of this product due to the presence of nonprotein nitrogen.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-082, filed 10/24/18, effective 11/24/18.]

WAC 16-250-094 Drug and feed additives. (1) Prior to approval of a registration application and/or approval of a label for commercial feed which contain additives (including drugs, other special purpose additives, or nonnutritive additives), the distributor may be required to submit evidence to prove the safety and efficacy of the commercial feed when used according to the directions furnished on the label.

(2) Satisfactory evidence of safety and efficacy of a commercial feed may be:

(a) When the commercial feed contains such additives, the use of which conforms to the requirements of the applicable regulation in 21 C.F.R., or which are "prior sanctioned" or "informal review sanctioned" or "generally recognized as safe" for such use; or

(b) When the commercial feed is itself a drug and is generally recognized as safe and effective for the labeled use or is marketed subject to an application approved by the United States Food and Drug Administration under section 512 of the Federal Food, Drug, and Cosmetic Act; or

(c) When one of the purposes for feeding a commercial feed is to impart immunity (that is to act through some immunological process) the constituents imparting immunity have been approved for the purpose through the Federal Virus, Serum and Toxins Act of 1913, as amended; or

(d) When the commercial feed is a direct fed microbial product and:

(i) The product meets the particular fermentation product definition; and

(ii) The microbial content statement, as expressed in the labeling, is limited to the following: "Contains a source of live (viable) naturally occurring microorganisms." This statement shall appear on the label; and

(iii) The source is stated with a corresponding guarantee expressed in accordance with WAC 16-250-036(7).

(e) When the commercial feed is an enzyme product, and:

(i) The product meets the particular enzyme definition defined by the Association of American Feed Control Officials; and

(ii) The enzyme is stated with a corresponding guarantee expressed in accordance with WAC 16-250-036(8).

(3) An artificial color may be used in commercial feed only if it has been shown to be harmless to animals. The department will accept the permanent or provisional listing of an artificial color in the United States Food and Drug Administration regulations as safe for use as satisfactory evidence that the color is harmless to animals provided that the manufacturer's use of the artificial color is consistent with the conditions, limitations, and tolerance prescribed by the federal regulation.

(4) Any feed ingredients or feed product must not contain materials that enhance the natural color of a feed if it conceals inferiorities.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-094, filed 10/24/18, effective 11/24/18.]

WAC 16-250-136 Adulterants. (1) The department adopts 21 C.F.R. Part 589 - Substances prohibited from use in animal food or feed.

(2) For the purpose of RCW 15.53.902, the terms "poisonous substances" or "deleterious substances" include, but are not limited to, the following:

(a) Fluorine and any mineral or mineral mixture which is to be used directly for the feeding of domestic animals and in which the fluorine exceeds 0.20 percent for breeding and dairy cattle; 0.30 percent for slaughter cattle; 0.30 percent for sheep; 0.35 percent for lambs; 0.45 percent for swine; and 0.60 percent for poultry.

(b) Fluorine bearing ingredients when used in such amounts that they raise the fluorine content of the total ration (exclusive of roughage) above the following amounts: 0.004 percent for breeding and dairy cattle; 0.009 percent for slaughter cattle; 0.006 percent for sheep; 0.01 percent for lambs; 0.015 percent for swine and 0.03 percent for poultry.

(c) Fluorine bearing ingredients incorporated in any feed that is fed directly to cattle, sheep or goats consuming roughage (with or without) limited amounts of grain, that results in a daily fluorine intake in excess of 50 milligrams of fluorine per 100 pounds of body weight.

(d) Soybean meal, flakes or pellets or other vegetable meals, flakes or pellets which have been extracted with trichlorethylene or other chlorinated solvents.

(e) Sulfur dioxide, sulfurous acid, and salts of sulfurous acid when used in or on feeds or feed ingredients which are considered or reported to be a significant source of vitamin B1 (thiamine).

(3) When screenings are added to unmixed by-product feed, the screening must not contain any seed, pesticide, or other product that renders it adulterated within the meaning of RCW 15.53.902.

(4) All screenings or by-products of grains and seeds containing weed seeds, when used in commercial feed or sold as such to the ultimate consumer, shall be ground fine enough or otherwise treated to destroy the viability of such weed seeds so that the finished product contains no more than one viable prohibited noxious weed seed per pound and not more than twenty-five viable restricted noxious weed seeds per pound.

(5) For purposes of this rule, prohibited noxious weed seeds are those listed in WAC 16-301-045 (Prohibited noxious weed seeds) and restricted noxious weed seeds are those listed in WAC 16-301-050 (Restricted noxious weed seeds).

(6) Feed containing raw or unprocessed animal waste is adulterated under this chapter.

(7) In addition to the requirements in subsection (2) of this section, the terms "poisonous substances" or "deleterious substances" as used in RCW 15.53.902 include, but are not limited to, any ingredient that contains more than twenty parts per billion aflatoxin B1, B2, G1, G2, individually or in total.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-136, filed 10/24/18, effective 11/24/18.]

WAC 16-250-148 Current good manufacturing practice and hazard analysis and risk-based preventive controls. The department adopts the following federal regulations as current good manufacturing practice:

(1) The regulations prescribing good manufacturing practices for Type B and Type C medicated feeds as published in 21 C.F.R. Part 225.1 - 225.202.

(2) The regulations prescribing good manufacturing practices for Type A medicated articles as published in 21 C.F.R. Part 226.1 - 226.115.

(3) The requirements of 21 C.F.R. Part 507 - Current good manufacturing practice, hazard analysis, and risk-based preventive controls for food for animals.

(4) The requirements of 21 C.F.R. Part 113 - Thermally processed low-acid foods packaged in hermetically sealed containers.

(5) The regulations and requirements governing emergency permit control in 21 C.F.R. Part 108.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-148, filed 10/24/18, effective 11/24/18.]

WAC 16-250-152 Certain mammalian proteins prohibited in ruminant feed. The department adopts the requirements of 21 C.F.R. Part 589.2000 - Animal proteins prohibited in ruminant feed; and 21 C.F.R. Part 589.2001 - Cattle materials prohibited in animal food or feed to prevent the transmission of bovine spongiform encephalopathy.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-152, filed 10/24/18, effective 11/24/18.]

WAC 16-250-164 Veterinary feed directive. (1) The department adopts the definitions of 21 C.F.R. Part 558.3(b).

(2) The department adopts the requirements of 21 C.F.R. Part 558.6 - Veterinary feed directive drugs.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-164, filed 10/24/18, effective 11/24/18.]

WAC 16-250-166 Recordkeeping requirements. Records relating the lot identifier to the manufacture, processing, packing, distribution, receipt, or holding of the product must be kept for two years after the last date of distribution.

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-166, filed 10/24/18, effective 11/24/18.]

WAC 16-250-178 Licensing requirements. (1) Except as provided for in RCW 15.53.9013, any person who manufactures a commercial feed in this state, or who distributes a commercial feed in or into this state; or whose name appears on a commercial feed label as guarantor, must obtain a commercial feed license for each facility that distributes in or into this state.

(2) The license application must be submitted on a form prescribed by the department.

(3) The license application must include:

(a) The name, mailing address, and contact information of the applicant;

(b) The name, mailing address, and contact information of the individual responsible for reporting tonnage;

(c) The name, mailing address, physical address, and contact information of the facility being issued the license;

(d) Types of business the firm is engaged in (manufacturer, distributor, guarantor);

(e) Types of processing;

(f) Types of feed distributed;

(g) Types of ingredients;

(h) Applicant's signature; and

(i) Date signed.

(4) A separate license application form is required for each location or facility.

(5) A fifty dollar fee must accompany each license application form.

(6) License application forms can be obtained from the department by emailing the animal feed program at feedreg@agr.wa.gov, or by phone at 360-902-1942.

[Statutory Authority: RCW 15.53.9012 and 15.53.9018. WSR 20-03-110, § 16-250-178, filed 1/15/20, effective 2/15/20. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-178, filed 10/24/18, effective 11/24/18.]

WAC 16-250-182 Semiannual feed distribution reporting requirements and inspection fees. (1)(a) Each licensee must file a semiannual report on forms provided by the department setting forth the number of tons of commercial feed distributed in or into this state as required by RCW 15.53.9018.

(b) The report must include the amount of feed distributed by type of mixed feed by animal class, feed ingredients, signature of person filing report, and date signed.

(2) An inspection fee of twelve cents per ton on all commercial feed sold for distribution in or into this state during the year must accompany the semiannual report.

(3) The minimum inspection fee, the late fee, and exceptions to payment of the fee are described in RCW 15.53.9018.

(4) Semiannual reporting forms can be obtained by emailing the animal feed program at feedreg@agr.wa.gov; or by phone at 360-902-1942.

(5) Any reports and associated fees may be submitted to the department by mail to:

Washington State Department of Agriculture
Animal Feed Program
P.O. Box 42591
Olympia, WA 98504-2591

[Statutory Authority: RCW 15.53.9012 and 15.53.9018. WSR 20-03-110, § 16-250-182, filed 1/15/20, effective 2/15/20. Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-182, filed 10/24/18, effective 11/24/18.]

WAC 16-250-194 Access to publications adopted under this chapter.

(1) Electronic access to 21 C.F.R. is available at <https://www.gpo.gov/fdsys/search/home.action>. Print copies of the titles can be purchased from the U.S. Government Bookstore online at <https://bookstore.gpo.gov/catalog/laws-regulations/code-federal-regulations-cfrs-print>. If you do not have electronic access, contact:

U.S. Government Publishing Office
P.O. Box 979050
St. Louis, MO 63197-9000
Phone 1-866-512-1800

(2) Online and print copies of the AAFCO official publication can be purchased from AAFCO online at <http://www.aafco.org/Publications>. If you do not have electronic access, print copies can also be purchased from:

AAFCO
1800 South Oak Street, Suite 100
Champaign, IL 61820
Phone 217-356-4221

(3) A copy of these publications are available for inspection at:

Washington State Department of Agriculture
Natural Resources Building
1111 Washington Street S.E.
Olympia, WA 98504-2560

[Statutory Authority: RCW 15.53.9012, 15.53.9013, 15.53.9016, and chapter 34.05 RCW. WSR 18-21-191, § 16-250-194, filed 10/24/18, effective 11/24/18.]