

FROM: Department of Agriculture
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 1432
Emergency rules

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

Regulations establish quality, labeling, and control standards for processed animal waste products intended for use as an ingredient in animal feeds.

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

pursuant to Notice No. 5727 ^① filed with the code reviser on 2/10/76 ^② were regularly adopted as permanent rules of this agency at Olympia, WA on 3/12/76 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be April 10, 1976 ^③

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

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

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this 12th day of March 1976.

STATE OF WASHINGTON
FILED
MAR 12 1976
CODE REVISER'S OFFICE
DOCKET #181 FILE #28

Department of Agriculture
(AGENCY)
Stewart B. Gelsow
By _____
Director
Title _____

① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing:
RCW 34.04.040. Leave this space blank except in such special cases.
[Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1432

RELATING TO DEFINITIONS,
LABELING, AND REGISTRATION REQUIREMENTS
OF PROCESSED ANIMAL WASTE PRODUCTS

NEW WAC 16-200-880 PROMULGATION.

I, Stewart Bledsoe, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapter 15.53 RCW, after due notice as provided under chapters 42.32 and 34.04 RCW, and a public hearing held in Seattle, Washington on March 4, 1976, do hereby promulgate regulations regarding processed animal waste products.

NEW WAC 16-200-890 DEFINITIONS---ANIMAL WASTE PRODUCTS.

(1) "Animal wastes" means a material composed of excreta, with or without bedding materials and/or animal drugs and collected from poultry, ruminants or other animals except humans.

(2) "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 which will enable the product to comply with the standards set forth in this order.

(3) "Processed Animal Waste Product" means a product which shall be specifically identified as follows:

(a) "Dried Poultry Waste - (DPW)" means a processed animal waste product composed of the feces from commercial poultry, which has been thermally dehydrated to a moisture content not in excess of 12.00 percent.

(b) "Dried Poultry Waste - NPN Extracted" means a processed animal waste product composed of the feces from commercial poultry which has been processed to remove part or all of the equivalent crude protein, NPN as urea and/or uric acid and which has been thermally dehydrated to a moisture content not in excess of 12.00 percent.

(c) "Dried Poultry Litter - (DPL)" means a processed animal waste product composed of a processed combination of feces from commercial poultry together with litter that was present in the floor production of poultry, which has been thermally dehydrated to a moisture content not in excess of 12.00 percent.

(d) "Dried Ruminant Waste - (DRW)" means a processed animal waste product composed of processed ruminant excreta which has been thermally dehydrated to a moisture content not in excess of 12.00 percent.

(e) "Undried Processed Animal Waste Product" means a processed animal waste product composed of excreta, with or without litter, from poultry, ruminants or any other animal except humans and which contains in excess of 12.00 percent moisture.

NEW

WAC 16-200-900 REGISTRATION REQUIREMENTS.

(1) No person shall sell, offer or expose for sale, or distribute in this state any processed animal waste product intended, promoted, represented, advertised or distributed for use as a commercial feed or feed ingredient as defined in chapter 15.53 RCW prior to registering such animal waste product with the director of agriculture.

(2) Application for registration shall be made to the director of agriculture on forms provided by the department and shall be accompanied by payment of the statutory registration fees as set forth in chapter 15.53 RCW.

(3) Applications for registration of animal waste products shall be accompanied by the following:

(a) A copy of the label which the applicant proposed to use for the processed animal waste product.

(b) A detailed description of the testing of the processed animal waste product, a sampling schedule and a full description of all tests made, and the results thereof purporting to show the processed animal waste product meets the standards of these rules and regulations for registration.

(c) The director may require an official sample of the processed animal waste product to be distributed in this state be taken for examination and analysis prior to approval of product registration.

NEW

WAC 16-200-910 REFUSING OR CANCELLING REGISTRATION - PROCEDURE.

(1) General provisions: Registration of a processed animal waste product will be refused or cancelled if:

(a) The 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 sale of commercial feeds in this state.

(b) The processed animal waste product does not meet the Quality Standards as set forth in WAC 16-200-920 of this order.

(c) The processed animal waste product is not labeled in compliance with the requirements of chapter 15.53 RCW including the requirements as specified in WAC 16-200-930 of this order.

(2) The director shall notify the applicant of the manner in which the animal waste product or labeling, or other material required to be submitted with the application fails to comply with the provisions of this order so as to afford the applicant an opportunity to make the necessary corrections. If, upon receipt of such notice, the applicant does not make the corrections, the director shall refuse to register the processed animal waste product. The applicant may request a hearing as provided for in chapter 34.04 RCW.

(3) The director, when he determines that an animal waste product or its labeling do not comply with the provisions of chapter 15.53 RCW or regulations adopted by this order, shall cancel the registration of such animal waste product after a hearing in accordance with the provisions of chapter 34.04 RCW.

NEW

WAC 16-200-920 QUALITY STANDARDS.

(1) No processed animal waste product shall contain any extraneous materials such as, but not limited to, metal, glass, wire or nails, except as set forth in WAC 16-200-920(5)(d) and (6) of this order.

(2) Dried Poultry Waste shall contain:

- (a) Not less than 20.00 percent crude protein
- (b) Not more than 15.00 percent crude fiber
- (c) Not more than 35.00 percent ash
- (d) Not more than 1.00 percent feathers
- (e) Not more than 12.00 percent moisture
- (f) Not more than 10.00 percent litter

(3) Dried Poultry Waste - NPN extracted shall contain:

- (a) Not less than 12.00 percent crude protein
- (b) Not more than 15.00 percent crude fiber
- (c) Not more than 35.00 percent ash
- (d) Not more than 1.00 percent feathers
- (e) Not more than 12.00 percent moisture
- (f) Not more than 10.00 percent litter

(4) Dried Poultry Litter shall contain:

- (a) Not less than 18.00 percent crude protein
- (b) Not more than 40.00 percent crude fiber
- (c) Not more than 30.00 percent ash
- (d) Not more than 5.00 percent feathers
- (e) Not more than 12.00 percent moisture

(5) Dried Ruminant Waste shall contain:

- (a) Not less than 12.00 percent crude protein
- (b) Not more than 30.00 percent crude fiber
- (c) Not more than 30.00 percent ash
- (d) Not more than 40.00 percent combined straw, wood,

wood shavings, litter, dirt, sand, rocks, and other similar extraneous materials

(e) Not more than 12.00 percent moisture

(6) Undried Processed Animal Waste Products shall contain not more than 40.00 percent combined straw, wood, wood shavings, litter, dirt, sand, rocks and other extraneous materials.

(7) Any product labeled as, or containing dried animal waste products, shall be maintained at 12.00 percent moisture or less, to aid in maintaining a stable microbiological quality.

(8) Processed animal waste products shall not contain any harmful pathogenic organisms, pesticide residues, harmful parasites, or drug residues except as allowed in WAC 16-200-930(1)(a) or 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 by-products of animals at levels in excess of those allowed by statute or regulation.

(9) Processed animal waste products shall not contain alfatoxin in excess of 20 parts per billion (ppb) and shall not contain more than a total of 500 parts per million (ppm) of heavy metals as mercury, lead, bismuth, copper, cadmium, arsenic, antimony, and tin.

NEW

WAC 16-200-930 LABELING REQUIREMENTS OF ANIMAL WASTE PRODUCTS.

(1) General: The label, tag, or label invoice accompanying shipments of animal waste products shall contain

information as required by chapter 15.53 RCW and in addition shall include the following information:

(a) If the product contains drugs or drug residues, then the label shall contain the following statement in bold-face 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 30 DAYS OF SLAUGHTER AND DO NOT USE 30 DAYS PRIOR TO OR DURING THE FOOD PRODUCTION PERIOD OF DAIRY ANIMALS AND/OR HENS."

(b) If the product contains high levels (15 ppm or greater) of copper: "WARNING: CONTAINS HIGH LEVELS OF COPPER: DO NOT FEED TO SHEEP."

(c) Animal Waste Product labels, tags, or labeling shall contain the following guarantees in percentages by weight in the following order and form:

- (i) Minimum crude protein
 - (ii) Maximum equivalent crude protein from non-protein nitrogen (NPN)
 - (iii) Minimum crude fat
 - (iv) Maximum crude fiber
 - (v) Minimum and maximum calcium (Ca)
 - (vi) Minimum phosphorus (P)
 - (vii) Maximum sodium (Na)
 - (viii) Maximum ash
 - (ix) Maximum moisture
 - (x) Maximum lignin (if the processed animal waste product is Dried Poultry Litter and if the product contains wood-based bedding materials).
 - (xi) 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").
- (d) Mixed feeds containing processed animal waste products as an ingredient shall state on the label the maximum percentage and type of processed animal waste product used in the mixed feed.
- (e) Processed animal waste product labeling shall contain as part of the product name the animal source and product type.

NEW

WAC 16-200-940 TESTING REQUIRED.

(1) The purpose of the sampling and testing requirements of this section shall be to determine the presence of harmful materials or biological contaminants specified in WAC 16-200-920 of this order and to assure compliance with the quality standards as set forth in WAC 16-200-920 of this order.

(2) Any person seeking or receiving registration of any processed animal waste product shall test, by representative sampling and assaying of such samples, and keep accurate records thereof, the processed animal waste product for which the registration is sought or received.

(3) The sample shall be of sufficient size so as to provide meaningful data, statistically reliable in carrying out the purpose of such sampling and analysis.

(4) The registrant, manufacturer, or producer of any such processed animal waste product ingredient shall conform to the following sample and analyses requirements:

(a) Analyses specified to meet the requirements of the Quality Standards of WAC 16-200-920 of this order shall be conducted on sequential production runs sufficient to establish that the last three consecutive production runs of the feed ingredient are consistently within the limitations specified prior to registration and/or sale of the processed animal waste product.

(b) Following the initial sequential testing, periodic analyses shall be conducted on production runs, no less than one (1) each calendar quarter. Less frequent testing may be allowed where the analytical results show continued uniformity and a consistent margin of compliance. More frequent tests shall be required where the analytical results show a wide range, or show levels close to the established Quality Standards. Any processed animal waste product that does not meet the Quality Standards for the product shall be further processed until standards are met, or shall be diverted to non-feed or non-food uses, or destroyed.

NEW WAC 16-200-950 RECORDS REQUIRED:

(1) Any person seeking or receiving registration of any processed animal waste product shall keep for a period of two (2) years, accurate records containing at least the following information:

(a) All sources of raw materials used in the production of processed animal waste products and the date acquired.

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


(c) All sales and distribution of processed animal waste products including the name and address of the purchaser or to whom distributed, the date, quantity and production code.

(d) Sampling and assay records of the testing required by WAC 16-200-940 of this order.

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

Signed at Olympia, WA

Date: March 12, 1976



Stewart Bledsoe
Director
Department of Agriculture