New Feed Rules and Regulations

Julie Zimmerman, Feed Program Administrator
Colorado Department of Agriculture

On January 1, 2000, the new Colorado Commercial Feed Law went into effect. The Colorado Department of Agriculture, Division of Inspection and Consumer Services, Feed Program, administers this law. The most significant difference in the new law and the old law is the elimination of individual product registration. This requirement was replaced by a feed manufacturer/labeler registration. Inspection/tonnage fees are collected annually on small package products (primarily pet food) and large package, and bulk deliveries, of livestock feeds. Inspection fees have always been collected on livestock feeds, but previously they were collected twice a year. Under the new law, they are filed one time, at the end of the year. It should be noted that whole grain (corn, oats, barley and wheat), processed or unprocessed, used in customer formula feeds is not subject to the inspection/tonnage fees. The purpose of the inspection fee is to offset the cost of the feed regulatory program. The program is not completely self-sufficient and does depend on some general taxpayer funding.

Other new requirements under the law include mandatory lot or date coding of all feeds, a provision for regulatory action if a feed poses a risk to human health, but not necessarily to animal health, and the authority to issue civil penalties or fines for severe violations of the law or rules and regulations.

The feed law provides a broad overview of the labeling requirements. Specific labeling requirements are delineated in the new feed rules and regulations that went into effect on June 1, 2001. These rules and regulations are based upon the national model regulations devised by the Association of American Feed Control Officials (AAFCO) and adopted by most of the individual states. Two sets of rules and regulations were adopted for Colorado, one set for commercial (livestock) feeds, the other pet foods. In addition labeling requirements differ for standard retail commercial feeds and customer-formula feed.

A customer formula feed is based upon a formula that is built for one customer and only one customer. A label, invoice, delivery ticket, or other shipping document that bears all of the required information must accompany the delivery of a customer-formula feed and be given to the purchaser.

Customer-formula feed must be labeled with the following information:
The name and address of the manufacturer

(---Please continue on page 4, under Feed Regulations---)

July 28-August 8, 2001: Larimer County Fair, Loveland, CO. For more information, www.co.larimer.us/fair.

August 1-3, 2001: Colorado Livestock Association Annual Meeting and Convention. For more information, contact CLA office in Denver (303)238-3232.

Commodity Price Quotes

<table>
<thead>
<tr>
<th>By-Product Feeds</th>
<th>Price/Ton Spot Loads</th>
<th>Price/Ton August-Sept</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bakery Waste</td>
<td>$82.00</td>
<td>$82.00</td>
</tr>
<tr>
<td>Blood Meal</td>
<td>$380.00</td>
<td>NQ</td>
</tr>
<tr>
<td>Corn Gluten Feed</td>
<td>$82.00</td>
<td>$86.00</td>
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<tr>
<td>Corn Gluten Meal</td>
<td>$290.00</td>
<td>$290.00</td>
</tr>
<tr>
<td>Corn Hominy</td>
<td>$80.00</td>
<td>$80.00</td>
</tr>
<tr>
<td>Flaked Corn</td>
<td>$99.00</td>
<td>$101.00</td>
</tr>
<tr>
<td>Whole Corn</td>
<td>$84.00</td>
<td>$86.00</td>
</tr>
<tr>
<td>Cottonseed Meal</td>
<td>$164.00</td>
<td>$174.00</td>
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<tr>
<td>Whole Cottonseed</td>
<td>$171.00</td>
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</tr>
<tr>
<td>Distillers Grains</td>
<td>$95.00</td>
<td>$93.00</td>
</tr>
<tr>
<td>Pork - Meat &amp; Bone Meal</td>
<td>$250.00</td>
<td>$235.00</td>
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<tr>
<td>Tallow</td>
<td>$0.15/lb</td>
<td>$0.14/lb</td>
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<tr>
<td>SBM - 48%</td>
<td>$190.00</td>
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<tr>
<td>Wheat Middlings</td>
<td>$74.00</td>
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<tr>
<td>Soybean Hulls</td>
<td>$75.00</td>
<td>$78.00</td>
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<tr>
<td>Canola Meal</td>
<td>$158.00</td>
<td>$162.00</td>
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</table>

These price quotes are delivery, Greeley, Co.
Colorado General Discharge Permit Requirements
Trevor Tuell
Colorado Livestock Association

Over the last several years Colorado Livestock Association (CLA) along with other interested parties have been working with the Colorado Department of Public Health and Environment (CDPHE) to develop a General Discharge Permit for animal feeding operations, excluding those under the requirements of Amendment 14, that regulate the larger hog operations.

The CDPHE is delegated by the Environmental Protect Agency (EPA) to issue National Pollutant Discharge Elimination System (NPDES) permits to animal feeding operations in Colorado. Membership of CLA has felt for years that producers need the protection of a permit. This permit allows operations to discharge during catastrophic event defined as a storm of large magnitude (e.g., tornado) or a series of storms occurring during a 10-day period that yields a total precipitation unlikely to occur but every 10 years.

The permit that costs $84 per year is available at this time. Listed below are the requirements that must be met for the submittal of the complete permit application.

1. A professional engineer (P.E.) must certify that the containment capacity is available for either a 25 yr/24 hr, or 10-yr/10-day storm, which ever is greater.

2. There must be a designated discharge point for the pond system. This will entail the design and installation of a pond spillway or overflow pipe with flow measurement accurate to within 10%.

3. A pond volume designation must be determined coupled with a pond staff gage and the required storm containment volume must be marked on the staff gage.

4. The pond liner must be certified by a professional engineer that it meets the specified 1 x 10-6 cm/sec seepage rate.

These requirements will allow a permit to be issued. Within 18 months of the permit’s issuance date the permittee must develop a Permit Nutrient Management Plan (PNMP). The PNMP must meet the permit prescribed nutrient budget process. This process will require each land application site to have a phosphorus risk assessment conducted. As well, the agronomic rate of application must be developed based on whether the site is nitrogen based or phosphorus based. Once a permit is issued, there will be monitoring and reporting requirements which will be a continual part of the permit process and a data management program.

CLA encourages producers to be environmentally responsible and apply for this permit. Contact Trevor Tuell with the Colorado Livestock Association for more information on the permit process. EnviroStock, LLC, an environmental consulting company owned in part by CLA, can provide engineering services needed to submit a permit application and complete the subsequent nutrient management information for permit compliance. Other company recommendations may be obtained from Dr. Jessica Davis, CSU Soil and Crop Sciences (970) 491-1913.

Public Input for CNMP Capacity Requested
Deanne Meyer,
Dairy Extension Specialist,
University of California, Davis

The Natural Resources Conservation Service held a series of meetings during July in California, Texas, Colorado, North Carolina, Maryland and Indiana to seek input on the ability of the private sector to provide technical services toward the development of Comprehensive Nutrient Management Plans (CNMP). These meetings were announced in the June 21 issue of the Federal Register (Billing Code 3410-16).

The Agency is seeking input on the following issues:
1) Is there a distinction in this assistance private vendors may provide to regulated versus non-regulated Animal Feeding Operations (AFOs)?

2) What are the technical capabilities and capacities of private sector vendors in relation to the skills, knowledge, and experience needed to provide technical services associated with the development and/or implementation of CNMP?

3) How do you see the capabilities and capacities of the private sector vendor community changing over the next few years? Over the next decade?

4) What is needed for a successful public/private partnership that will facilitate AFO/CAFO owners’ and operators’ development and/or implementation of CNMP?

Additional comments can be sent via fax (301) 504-2264 or regular mail if post marked by August 15, 2001. Mail comments to Thomas Christensen, Director, Animal Husbandry and Clean Water Programs, USDA/NRCS, 5601 Sunnyside Avenue, Mail Stop 5473, Beltsville, MD 20705
The name and address of the purchaser
The date of sale or delivery
The customer-formula feed name and brand name if any
The product name and net quantity of each ingredient used in the mixture
The directions for use
Precautionary statements as required by rule or regulation.
If a drug is included:
   The purpose of the medication (claim statement)
   The established name of each active drug ingredient and the level
   of each drug used in the final mixture expressed in accordance
   with the rules and regulations.

Commercial feeds are the products found in feed stores or those purchased
from a feed manufacturer’s standard stock formulas. They must be labeled with
the following information:
   Product name and brand name if any
   If a drug is used:
      The word “medicated” shall appear directly following and below
      the product name in type size, no smaller than one-half the type size of the product
      name. List: The purpose of medication (claim statement) and an active ingredient
      statement listing the active drug ingredients by the established name and the
      amounts.
       Purpose Statement
       Guaranteed Analysis
       Feed ingredient list
       Directions for use and precautionary statements
       Name and principal mailing address of the manufacturer or person
       responsible for distributing the feed.
       Quantity Statement

Guarantees required on commercial feed labels vary from one animal species
to another and from one animal class to another. A commercial branded dairy
feed label must contain the following information:

Specify Dairy Animal Class:
   (1) Veal Milk Replacer - Milk Replacer to be fed for veal production
   (2) Herd Milk Replacer - Milk Replacer to be fed for herd replacement
      calves
   (3) Starter - Approximately 3 days to 3 months
   (4) Growing Heifers, Bulls and Dairy Beef
      (a) Grower 1 - 3 months to 12 months of age
      (b) Grower 2 - More than 12 months of age
   (5) Lactating Dairy Cattle
   (6) Non-Lactating Dairy Cattle

Guaranteed Analysis Required for Veal and Herd Replacement Milk Replacers
   (1) Minimum percentage Crude Protein
   (2) Minimum percentage Crude Fat
   (3) Maximum percentage of Crude Fiber
   (4) Minimum and maximum percentage Calcium
   (5) Minimum percentage of Phosphorus
   (6) Minimum Vitamin A, other than precursors of Vitamin A, in International Units per pound (if added)

Guaranteed Analysis for Dairy Cattle
Complete Feeds and Supplements
   (1) Minimum percentage of Crude Protein
   (2) Maximum percentage of Equivalent Crude Protein from Non-Protein Nitrogen (NPN) when added
   (3) Minimum percentage of Crude Fat
   (4) Maximum percentage of Crude Fiber
   (5) Maximum percentage of Acid Detergent Fiber (ADF)
   (6) Minimum and maximum percentage of Calcium
   (7) Minimum percentage of Phosphorus
   (8) Minimum Selenium in parts per million (ppm)
   (9) Minimum Vitamin A, other than precursors of Vitamin A, in International Units per pound (if added)

Required Guaranteed Analysis for Dairy Mixing and Pasture Mineral
   (1) Minimum and maximum percentage of Calcium
   (2) Minimum percentage of Phosphorus
   (3) Minimum and maximum percentage of Salt
   (4) Minimum and maximum percentage of total Sodium shall be guaranteed only when total Sodium exceeds the
      maximum salt guarantee
   (5) Minimum percentage of Magnesium
   (6) Minimum percentage of Potassium
   (7) Minimum Selenium in parts per million (ppm)
   (8) Minimum Vitamin A, other than the precursors of Vitamin A, in international Units per pound

The feed regulatory program provides protection for the consumer and the
regulated industry, safeguards the health of man and animals through feed in-
spection and sampling, and provides a structure for orderly commerce. Should
you have any questions on feed regulation, please contact Julie Zimmerman
at 3030 477-0081 or by email (julie.zimmerman@ag.state.co.us)