

Under Wyoming statutes, the Department of Agriculture does not regulate the production of fertilizers, but only regulates the labels (guaranteed nutrient amounts), sales and distribution.

The marketing of offal as commercial fertilizer, soil conditioner or soil amendment is regulated by WS §§ 11-14-101 through 11-14-118.

- **Commercial Fertilizer** means, “any substance containing one (1) or more recognized plant nutrients substance containing one (1) or more recognized plant nutrients used for its nutrient content and designed for use or claimed to have value in promoting plant growth;”
- **Soil amendment** or **soil conditioner** means, “any material which improves the physical or chemical soil characteristics and is manufactured and sold for such purposes but which is not added for its plant food content.”

To register a commercial fertilizer, a product registration form (attached) will need to be completed and a copy of the label submitted to Wyoming Department of Agriculture:

As required by statute, any commercial fertilizer registered in the State of Wyoming must include the following information on the label:

1. Brand, grade and net weight.
2. Guaranteed analysis (Nitrogen – Phosphate – Potash).
3. Name and address of distributor.
4. Sources of nitrogen, phosphorous and potassium (potash).
5. Additional plant nutrients plus percentage guaranteed and source.

A registration fee of \$115 per product is assessed annually by the Department of Agriculture. The product must be registered by the manufacturer prior to any distribution in the state.

The Wyoming Department of Agriculture - Technical Services division can sample, test, suspended and cancel registrations of products misbranded or adulterated. The law also provides for misdemeanor fines related to violations of the act.

There is nothing in the State of Wyoming laws pertaining to commercial fertilizer that would prevent the registration of offal as a fertilizer, as long as the state requirements listed above are met.

Blood meal is the closest comparable example to the marketing of offal as a commercial fertilizer. Blood meal is a by-product of livestock production, coming from waste material. The blood is dried and made into a powder that’s rich in organic nitrogen, and is marketed as a high-quality fertilizer product. Because blood meal provides direct nutrients to plants, it is not considered a soil amendment. The formulation for blood meal is typically 12-0-0 (Nitrogen – Phosphorus – Potash).

The Environmental Protection Agency (EPA) has promulgated the Fertilizer Manufacturing Effluent Guidelines and Standards (40 CFR Part 418) which covers direct and indirect discharge from manufacturing of fertilizers. Fertilizers are also not exempt from the Toxic Substances Control Act (TSCA). The TSCA authorizes EPA to regulate and screen all chemicals produced or imported into the United States and requires reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and or mixtures. The Department of Agriculture does not have primacy for the enforcement of these federal laws. To what degree offal would need to be tested would have to be discussed with the EPA. These are the only federal regulations the Department of Agriculture is aware of related to marketing offal as a fertilizer or soil amendment.



FOR OFFICE USE ONLY: CHECK NUMBER: PROCESSED DATE: LICENSE CODE: ESTABLISHMENT No.:

2219 Carey Ave. | Cheyenne, WY 82002 | Phone: 307-777-7324 | Fax: 307-777-6593 | agri.productreg@wyo.gov

TECHNICAL SERVICES DIVISION NEW PRODUCT REGISTRATION

PLEASE STATE IF THIS IS YOUR FIRST TIME REGISTERING YOUR ESTABLISHMENT IN THE STATE OF WYOMING. IF YOU HAVE AN EXISTING ESTABLISHMENT, PLEASE PROVIDE YOUR ESTABLISHMENT NUMBER (UNIQUE ID FOR THE STATE OF WY).

NEW ESTABLISHMENT

EXISTING ESTABLISHMENT ESTABLISHMENT NO: _____

FIRM OR COMPANY NAME: _____

PHYSICAL ADDRESS: STREET CITY STATE ZIP

MAILING ADDRESS: STREET CITY STATE ZIP

REPRESENTATIVE NAME: LAST FIRST MI

PHONE NUMBER: () - EMAIL: _____

I HEREBY CERTIFY THE INFORMATION APPEARING ON THE ATTACHED LABELS OR PRODUCT DATA SHEETS IS TRUE AND CORRECT IN EVERY RESPECT; THAT NET WEIGHT AND MANUFACTURER'S NAME AND ADDRESS WILL BE SHOWN; THAT THE ATTACHED DECLARATIONS ARE THE GUARANTEES OF THE APPLICATION AS TO CHEMICAL COMPOSITION OF THE MATERIAL NAMED.

NEW PRODUCT REGISTRATION APPLICATION AND CHECK OR MONEY ORDER SHOULD BE ADDRESSED TO: WY DEPT OF AG, ATTN TECH SVS., AND MAILED TO: 2219 CAREY AVE., CHEYENNE, WY 82002. ALL LABELS MUST BE EMAILED TO: AGRI.PRODUCTREG@WYO.GOV, SUBJECT LINE: COMPANY NAME, PRODUCT TYPE. WE DO NOT ACCEPT HARD COPIES OF ANY KIND. FAILURE TO FOLLOW DIRECTIONS AND/OR INCOMPLETE APPLICATIONS WILL BE RETURNED. REGISTRATION WILL BE MADE ACCORDING TO THE APPROPRIATE WYOMING STATUTES FROM THE DATE OF ACTUAL REGISTRATION CONTINUING UNTIL DECEMBER 31 ANNUALLY.

APPLICATION TYPE:

PLEASE INDICATE THE TYPE AND NUMBER OF PRODUCTS YOU ARE REGISTERING. A COMPLETE LIST OF PRODUCT(S) ARE TO BE LISTED ON PAGE 2. ADDITIONAL PAGES MAY BE USED IF NECESSARY.

(EXAMPLE: 10 COMMERCIAL FEEDS)

- PESTICIDE OR DEVICE \$140 PER PRODUCT
SOIL CONDITIONERS & AMENDMENTS \$115 PER PRODUCT
COMMERCIAL FEEDS \$40 PER PRODUCT (CRUDE PROTEIN CONTENT MUST BE LISTED)
FERTILIZERS \$115 PER PRODUCT
ANIMAL REMEDIES \$40 PER PRODUCT

