

CHAPTER 49
BULK DRY ANIMAL NUTRIENTS

21—49.1(200A) Definitions. When used in this chapter:

“*Bulk dry animal nutrient product*” or “*bulk product*” means an animal nutrient product delivered to a purchaser in bulk form to which a label cannot be attached.

“*County soil survey*” means a publication containing a survey of soils and topography of an Iowa county by the Iowa cooperative soil survey.

“*Department*” means the department of agriculture and land stewardship.

“*Distribute*” means to offer for sale, sell, hold out for sale, exchange, barter, supply or furnish a bulk dry animal nutrient product on a commercial basis.

“*Distributor*” means a person who distributes a bulk dry animal nutrient product.

“*Dry animal nutrient product*” means any unmanipulated animal manure composed primarily of animal excreta if all of the following apply:

1. The manure contains one or more recognized plant nutrients which are used for their plant nutrient content.
2. The manure promotes plant growth.
3. The manure does not flow perceptibly under pressure.
4. The manure is not capable of being transported through a mechanical pumping device designed to move a liquid.
5. The constituent molecules of the manure do not flow freely among themselves but do show the tendency to separate under stress.

“*Guaranteed analysis*” means the minimum percentage of plant nutrients claimed and reported to the department pursuant to Iowa Code section 200A.6.

“*Label*” means any written or printed material which accompanies bulk shipments.

“*Official sample*” means any sample of a bulk dry animal nutrient taken by the department, according to procedures established by the department consistent with this chapter.

“*Percent*” or “*percentage*” means percentage by weight.

“*Person*” means individual, partnership, association, firm or corporation.

“*Purchaser*” means a person to whom a dry bulk animal nutrient is distributed.

“*Ton*” means a net weight of 2,000 pounds avoirdupois.

21—49.2(200A) License. Any person who distributes bulk dry animal nutrients in Iowa must first obtain a license from the department and shall pay a \$10 license fee for each place from which bulk dry animal nutrients are distributed. Such license fee shall be paid on July 1 of each year. Application for license shall be made on forms furnished by the department.

21—49.3(200A) Registration. Each bulk dry animal nutrient shall be registered before being distributed in this state. The application for registration shall be submitted to the department on forms furnished by the department and shall be accompanied by a label which contains information as provided in Iowa Code section 200A.6, subsection 2, paragraphs “a” and “b.”

21—49.4(200A) Additional plant elements. Additional plant food nutrients, besides nitrogen, phosphorus and potassium, when mentioned in any form or manner, shall be registered and shall be guaranteed. Guarantees shall be made on the elemental basis. The minimum percentages which will be accepted for registration are as follows:

<u>Element</u>	<u>Percent</u>
Calcium (Ca)	1.00
Magnesium (Mg)	0.50
Sulfur (S)	1.00
Boron (B)	0.02

<u>Element</u>	<u>Percent</u>
Chlorine (Cl)	0.10
Cobalt (Co)	0.0005
Copper (Cu)	0.05
Iron (Fe)	0.10
Manganese (Mn)	0.05
Molybdenum (Mo)	0.0005
Sodium (Na)	0.10
Zinc (Zn)	0.05

Guarantees or claims for the above-listed additional plant nutrients are the only ones which will be accepted. Proposed labels and directions for use shall be furnished with the application for registration. Any of the above-listed elements which are guaranteed shall appear in the order listed, immediately following guarantees for nitrogen, phosphorus and potassium. A warning statement is required on the label for any product which contains 0.03 or more boron in a water-soluble form or 0.001 percent or more of molybdenum. The statement shall carry the word "WARNING" in letters large enough to be conspicuous; it shall state the crops for which the bulk dry animal nutrient may be used and it shall state that use of the bulk dry animal nutrient on any other than those recommended may result in serious injury to the crops.

21—49.5(200A) Distribution statement. Any bulk dry animal nutrient distributed in this state must be accompanied by a form, furnished by the department, which contains all information required by Iowa Code section 200A.7. The distribution statement must be provided to the purchaser before possession of bulk dry animal nutrient is transferred to the purchaser and receipt of the distribution statement must be acknowledged by signature or initials of the purchaser. The distributor shall maintain a copy of the distribution statement for one year.

21—49.6(200A) Distribution reports. Any person required to be licensed to distribute bulk dry animal nutrients in this state shall file distribution reports on forms furnished by the department as required by Iowa Code section 200A.8.

21—49.7(200A) Storage of bulk dry animal nutrients. A distributor shall not store bulk dry animal nutrients in a manner which pollutes the waters of the state. Storage requirements include the following:

1. Bulk dry animal nutrients shall not be stored in a grassed waterway.
2. Bulk dry animal nutrients shall not be stored on ground with a slope of greater than class "B" as defined in the county soil survey.
3. Bulk dry animal nutrients shall not be stored within 200 feet of a shallow private water supply well or within 100 feet of a deep water supply well. Bulk dry animal nutrients shall not be stored within 500 feet of a surface intake, wellhead or cistern of agricultural drainage wells, known sinkholes or major water sources or within 200 feet of watercourses other than major water sources (excluding farm ponds, privately owned lakes or when a secondary containment barrier is provided). For purposes of this rule, terms used are considered to have the same meaning as defined in 567—65.1(455B).

21—49.8(200A) Manure management plans. Distributors of bulk dry animal nutrients who are confinement feeding operations must comply with rules 567—65.16(455B) and 65.17(455B) and 567—paragraph 65.3(3) "g." For the volume of bulk dry animal nutrients to be sold or removed from control of the distributor, the requirements of rules 567—65.16(455B) and 65.17(455B) and 567—paragraph 65.3(3) "g" shall be deemed to have been met when a distributor notifies in writing the department of natural resources.

These rules are intended to implement Iowa Code chapter 200A.

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