

Comment for Sustainable Food and Wine Production Joint Informational Hearing
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ADAPTING COMPOSTING REGULATIONS TO SUPPORT SMALL-SCALE MEAT PROCESSING

1. ***What is the issue?*** Current regulations (see below, Appendix A) do not allow for composting of mammalian waste. This is to the detriment of small-scale meat processing facilities and our environment. Since these facilities cannot compost the small amount of waste they generate, they must pay a renderer to come pick up the waste. This is an added cost in the form of pick-up fees and storage (the waste must be kept in a cooler). This is also a missed opportunity to return nutrients to the soil, improve soil quality and increase organic matter with composting.
2. ***What solutions have other States adopted?*** The State of Oregon has adopted composting regulations that work for small-scale meat processors. To comply, processors must have a composting plan on file with the Oregon Department of Agriculture and be implementing that plan. The plan must include a drawing of the composting area and a description of the process used, a description of how the processor will contain any runoff from the compost piles or bins, and a description of how the compost will be used on farm. Processors also need a composting permit from the Oregon Department of Environmental Quality. See below, Appendix B for more on Oregon's regulations.
3. ***What should California do?*** California should adopt regulations much like those in Oregon and allow small-scale meat processors to compost their waste to reduce costs and return beneficial nutrients to the soil.

California Food and Agricultural Code

19201. "Animals" means burros, cattle, goats, horses, mules, sheep, swine and other large domesticated animals and poultry.

19213. "Rendering" means all recycling, processing, and conversion of animal and fish materials and carcasses and inedible kitchen grease into fats, oils, proteins, and other products that are used in the animal, poultry, and pet food industries and other industries.

19216. "Inedible kitchen grease" means any fat or used cooking greases and oils obtained from any source.

19300. Every person engaged in the business of rendering shall obtain a license from the department for each rendering plant.

19348. (a) Unless a waiver is granted by the State Veterinarian in conjunction with implementation of Section 9562 or a declaration of a state of emergency or local emergency, as defined in subdivisions (b) and (c) of Section 8558 of the Government Code, pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code), no dead animal hauler or any other person shall transport any dead animal to any place, other than to a licensed rendering plant, a licensed collection center, an animal disease diagnostic laboratory acceptable to the department, the nearest crematory, or to a destination in another state that has been approved for that purpose by the appropriate authorities in that state.

(b) The secretary may issue a master or individual permit to a licensed renderer, collection center, or dead animal hauler for the purpose of authorizing transport of a dead animal to an appropriately permitted landfill under either of the following circumstances:

(1) During a proclaimed state of emergency or local emergency, as defined in subdivisions (b) and (c) of Section 8558 of the Government Code.

(2) When the licensed hauler has certification from a licensed renderer, that the licensed renderer cannot process the dead animal due to operational conditions or legal or regulatory requirements or constraints. The certification shall be in a form approved by the department and, for purposes of this paragraph, "licensed hauler" shall include licensed collection centers and renderers.

(c) Nothing in this section shall be interpreted to conflict with any state or federal environmental or zoning law, or to prohibit an owner of a live animal from burying the animal on the owner's property after the animal dies if the burial is within three miles of where the animal died.

(d) Subdivision (a) does not apply to the Department of Transportation or to local

agencies having jurisdiction over a road or highway when engaged in removing animal carcasses from the road or highway.

California Code of Regulations

1180. Definitions

(13) "Inspected establishment" means a meat or poultry slaughter establishment or a meat and/or poultry processing establishment in California that is licensed by the Meat, Poultry and Egg Safety Branch of the Department or that operates under a grant of inspection issued by the Food Safety and Inspection Service of the USDA.

Section 1180.34. Methods of Rendering to Produce Products Used In Animal Feed or other Agricultural Uses.

For production of products used in animal feed and other agricultural uses, each renderer shall employ a written and verifiable process that results in products that are free of microorganisms that are pathogenic to humans or animals. Critical steps in the process shall be monitored and recorded. The process shall include routine analysis of samples of finished product to validate the efficacy of the process. Finished products generated when the process is operating outside established critical limits shall be reprocessed within limits or shall be properly disposed of. Monitoring records, test results, and records of corrective actions shall be kept for one (1) year and shall be available for review by the Department. Failure to have records that document the efficacy of the process may result in the Department condemning product so processed and directing its destruction or disposal.

Section 1180.48. Disposal of Parts or Products of Animals Not Intended for Use as Human Food.

Any parts or products of animals disposed of by inspected establishments, retail stores, custom slaughterers and custom processors and which are not intended for use as human food shall be disposed of through licensed renderers, licensed pet food processors, licensed collection centers or other method approved by the Director.

Section 1180.49. Permit for the Removal of Inedible or Condemned Meat and Poultry Products.

Every establishment under federal or state meat or poultry inspection disposing of inedible or condemned material from the premises shall obtain a permit from the Director of Food and Agriculture.

The application for a permit shall be in a form which is prescribed by the Director and shall contain the following:

1. The name and address of the licensed renderer, licensed pet food processor, licensed collection center, mink farm or specify another approved method of disposal of the inedible or condemned material.

2. The name of the transportation company that will transport the material.

The Director may refuse or revoke a permit if it is found that the inedible or condemned material has not been disposed of in accordance with all applicable laws and regulations. The permittee shall notify the Director of any changes in the information contained in the application for the permit.

The Director may suspend the permit without hearing upon determining that the permittee has violated the provisions of this Article and that there is good reason to believe such violation is continuing, pending the filing of an accusation and hearing thereon. The accusation shall be filed within fifteen days of the suspension.

Disposal of Animal Mortality and Byproducts

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Rendering plants once offered quick, affordable pickup of animal mortalities and byproducts. However, recent declines in the price of useful commodities produced from animal carcasses have curtailed or eliminated many rendering operations in Oregon. Now, sending animal mortalities and byproducts for rendering may no longer be an economically viable option for many of Oregon's livestock owners.

This document has been prepared to provide alternate disposal options for animal mortalities and byproducts where rendering services are not available or economical.

Natural Disposal

It is legal to simply allow nature to take its course. If you choose this action you must deposit the dead animal to a location that is at least one-half mile from any dwelling and at least a one-quarter mile from any open water way (ORS 601.140) and let scavengers eat the carcass. It is important to note that this method of disposal is not acceptable in instances where numerous carcasses must be disposed of, and is not available for disposal of animal byproducts generated during butchering.

You need a large farm or ranch to make this work and it is the least desirable of the alternatives for many reasons. Animal carcasses left to decay naturally above ground or buried in shallow pits pose a hazard to groundwater and surface water and can jeopardize the health of domestic livestock, wildlife and pets.

Landfill

Certain permitted landfills are allowed to take small and large animal carcasses as well as waste animal byproducts. There may be an extra fee to dump large carcasses and large volumes of animal mortality and byproducts. Call your local landfill to find out if they can accept animal carcasses. A list of landfills and phone numbers can be found on the Internet at <http://www.deq.state.or.us/lq/sw/disposal/permittedfacilities.htm>. If the landfill does not accept animal carcasses, the Oregon Department of Environmental Quality (DEQ) may be able to grant an exception. You would need to work with both the landfill operator and your local DEQ office to see if an exception is possible. Phone numbers to local DEQ offices can be found in most phone books in the blue tabbed

Government pages, or at the following <http://www.deq.state.or.us/about/locations.htm>.

Incineration

Animal mortalities and byproducts can be incinerated in a DEQ approved incinerator or cremation unit. Operation of an incinerator or cremation unit requires a permit from the DEQ Air Quality program. Economic reasons, and availability of incineration units in the state, currently make this option generally unavailable. More information on incinerator regulations can be found at <http://www.deq.state.or.us/aq/permit/incinrul.htm>.

Animal mortality and byproducts can not be open burned [OAR 340-264-0060(3)]. The open burning of carcasses of animals that have died or been destroyed because of an animal disease emergency is allowed only when authorized by Oregon Department of Agriculture (ODA) [ORS 596.393 and OAR 340-264-0040(10)].

Burial

It is legal to bury animal mortalities on your farm if certain requirements are met and specific recommendations are followed. The bottom of the hole must be dry (not in a water table). The dead animal should be covered with hydrated lime, and then covered with at least 4' of soil mounded up to allow for settling as the carcass decomposes [ORS 601.090(7)]. Burials should be at least 500' from surface waters or wells, preferably downhill from the well. Burial of large dead animals will probably require a backhoe because an adult cow burial takes a hole approximately 2' x 7' x 8' deep.

It is important to note that this method of disposal is not acceptable for disposal of animal byproducts generated during butchering. Burial of large volumes of dead animals is not appropriate unless conducted under a Catastrophic Animal Mortality Management Plan. It should also be noted that if you bring in animals from other locations to be buried on your farm you may be subject to additional disposal regulations from the DEQ, the ODA, and the local land use planning authority. Please contact the DEQ, and the ODA, and the local land use planning authority before burying dead animals on your property if the animals did not originate from your farm.

Composting

While not the simplest method of disposal, composting animal mortalities and byproducts allows you to recycle the nutrients in the carcasses and is a sound environmental practice. If you are going to compost animal mortalities and byproducts on your farm, you must have a composting plan on file with ODA, and be implementing that plan. The plan must include a drawing of your composting area, a description of how you will contain any runoff from the compost piles or bins, a description of the process you will use, and a description of how the compost will be used on the farm. Details of the plan and assistance are available from the Natural Resources Division at the Oregon Department of Agriculture, (503) 986-4700. If you are going to compost animal mortalities and

byproducts and intend to bring in animal mortality and byproducts from off-farm sites you will need a composting permit from the DEQ.

The basic composting process is relatively easy. **It must be done on concrete or a similar impervious surface that prevents nutrient leaching.** In western Oregon, it is wise to have a roof to control moisture added by rainfall. Bins or walls on the compost pile make turning the compost easier. To compost dead animals, start with a 12" layer of dry straw, sawdust, or dry manure solids. Drag or lift the carcass onto this layer. A small opening in the body cavity will prevent bloating. Some sources recommend cutting open the body cavity and large muscle groups for faster decomposition, however livestock farmers report this is not necessary. Cover the carcass with 2' to 3' of manure solids, sawdust, or other carbon source. Maintain moisture in the pile about like silage; damp, not wet. Add more manure solids, or other carbon material like sawdust, and water as needed. The pile must heat to over 131° Fahrenheit for at least 3 days to kill human, and animal, pathogens. The pile will be ready to turn in 15-30 days and will need to be turned about 5 times. The carcass should be fully composted in about 180 days. Some literature recommends reusing some of the finished compost as the base for the next pile. Up to 30% of the total volume of the base material required can be from the finished compost. Also, some of the left over bones can add structure to the foundation material for enhanced aeration.

Applying this compost to crops directly consumed by people is not currently recommended. The Cornell Waste Management Institute has stated that the compost can be used on hay, corn, winter wheat, tree plantations and forestland.

Other resources on composting and animal mortality disposal can be found in the "Additional Resources" section at the end of this document.

****Caution****

It is unclear whether prions, the proteins that cause Bovine Spongiform Encephalitis (Mad Cow Disease), are destroyed in the composting process. Animals showing signs of a neurological disease must be reported to the ODA and disposed of in an appropriate manner. Animals that show signs of a neurological disease, and those with anthrax, should not be composted.