
MEMORANDUM

DATE: February 17, 2008

TO: USCC Market Development Committee, USCC Executive Committee, and Dr. Stuart Buckner, Executive Director

FROM: Ron Alexander, USCC Market Development Committee & Industry Liaison to AAPFCO

RE: Update from the AAPFCO Midyear Meeting

Uniform Bills Committee

The Uniform Bills Committee met to discuss a variety of subjects, with the only relevant one to the composting industry being the 'Rules and Regulations for Bulk Compost'. Discussions took place because of objections made over the 'Rules' by the Mulch & Soil Council (MSC). Again, this is an atypical occurrence, since the 'Rules' were already approved by the Uniform Bills Committee, as well as the AAPFCO Board. However, the Committee Chair allowed the MSC to once again make comment on the 'Rules', since this promise was made during the last meeting.

The MSC presented for over a half an hour, at the clear annoyance of several Control Officials (and guests). By doing this, the USCC had only a limited time for a response. In saying this, we presented to the MSC's points succinctly and thoroughly. It should be noted that a great deal of what the MSC presented was untrue, and many of the Control Officials knew that fact. Unfortunately, the Committee Chair did not dismiss the MSC's concerns, but tabled them until next meeting (because of lack of time for thorough debating). *It should be noted that a MSC Board member stated (privately, after the meeting) that he believed that their main complaint about the 'Rule' was the proposed 'exemption' within it. The 'exemption' in which they are referring to, states that the registrant would be exempted from registering their product as a soil amendment, if they register it as a fertilizer under the Bill. Essentially, this suggests to states that may require such products to register twice, as both a soil amendment and fertilizer, not to continue that practice with composts registered under this Bill.*

The USCC and its Market Development Committee must now discuss how best to deal with the on-going harassment by the MSC. It must further develop a strategy to promote the adoption of the 'Rules' on a state-by-state basis. It should be noted that the 'Rules' are now published in the Official Publication No. 61.

Soil Amendment Subcommittee

(of the Uniform Bill's Committee)

During the meeting (4 hours), we continued our detailed review and rewrite of the proposed language for the upgraded Soil Amendment Bill. The efforts moved along well, however a version was not able to be completed to propose to be placed in 'tentative' status. Issues related to composters in the proposed Bill

are the ability to 1) make more thorough product claims, 2) differentiate compost from other products trying to make soil improvement claims, and 3) exempt compost from providing a detailed guaranteed ingredient breakdown (on a percentage basis) on its label.

Again, the list of approved 'compost claims', now within the Uniform Fertilizer Bill Rules and Regulations, is included within its language. During the meeting, the MSC opposed specific claims made within the list, then opposed the fact that the list of allowable compost claims were proposed within the Bill as particular to compost (and not other organic matter based products). After debate, it was suggested that the MSC complete a similar literature search, to the one completed by the USCC, if they wanted to make the claims for other organic matter based products.

Labeling and Terms Committee

The USCC was on the agenda and planned on proposing a definition for anaerobic digestate products. Unfortunately, the meeting ran over time and our proposed definition (among other things) were tabled until the next meeting.

Environmental Affairs Subcommittee

(of the Environmental Affairs Committee)

No issues relative to compost were discussed during the meeting.