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## MEMORANDUM

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**DATE:** August 5, 2010

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

**FROM:** Ron Alexander (RAA), USCC Market Development Committee Member & Industry Liaison to AAPFCO

**RE:** Update from the 2010 AAPFCO Annual Meeting

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The recent Annual AAPFCO meeting was held in Portland, Oregon from August 2<sup>nd</sup> to the 5<sup>th</sup>. There was good attendance at the meeting considering many states continue to have travel restrictions. With that said, Control Officials from some key states such as California and Washington were not in attendance.

### Soil Amendment Subcommittee

*(of the Uniform Bill's Committee)*

The Soil Amendment Subcommittee met to discuss potential modifications to the updated Uniform Soil Amendment Bill language (*already pending 'official' status*). During the meeting, a Working Group in which the USCC was involved presented its suggested modifications to the 'notes' within the Bill. This language is relevant because it better defines when 'mulch' and 'potting mix' products are exempted from requirements of the model regulation. The following language was agreed upon and *approved* as an editorial change to the Uniform Bill.

*Note 5: Mulch is a soil amendment only when the product labeling claims to be a soil amendment or provides direction for incorporation into soil.*

*Note 6: Potting Mix is a soil amendment only when the product labeling claims to be a soil amendment or provides direction for incorporation into soil.*

This new Bill language was then approved by the AAPFCO membership at the Business Session, placing it in 'official' status.

### Uniform Bills Committee

The Uniform Bills Committee met to discuss a variety of subjects, with two being of major relevance to the composting industry. First, based on recommendations from the Soil Amendment Subcommittee, the editorial changes to the Uniform Soil Amendment Bill were approved. The entire AAPFCO membership voted to make the new Bill language 'official', since the AAPFCO Board already voted to place the new

Bill language in ‘official’ status, and since the changes to the Bill were deemed to be only ‘editorial’. The motion carried. Overall, the new Uniform Bill language will be good for the composting industry, as it starts to better define *soil amendments*. However, it will disallow composters from claiming that compost ‘supplies beneficial microbes’, without guaranteeing the specific species and count.

The other relevant issue to composters on the agenda pertained to SUIP 25 – *Metals in Fertilizers*, in which the USCC was involved in developing. The SUIP (*Statement of Uniform Interpretation and Policy*) creates heavy metal limits for Phosphate and micro-nutrient fertilizers, and in some states it is used to regulate all fertilizer products. Having been a SUIP for several years, it was suggested it should be placed in the Uniform State Fertilizer Bill, and pertain to all fertilizer products. After much discussion, the Committee agreed with this suggestion. As such, this recommendation was put before the AAPFCO Board for consideration. Also, a Working Group was put together to modify the SUIP language to made it suitable to fit in the Uniform Bill. An USCC representative will be involved in this Working Group. Keep in mind that compost, manure and biosolids products are exempt from the SUIP, even if the products are labeled as fertilizers.

### **Labeling and Terms Committee**

The definition for ‘anaerobic digestate products’, sponsored by the USCC, was briefly discussed at the meeting because it was recommended to be placed into ‘tentative’ status by the AAPFCO Board at the Mid-Year meeting. No changes to the definition were offered during the meeting. The AAPFCO membership then approved placing the definition into ‘tentative’ status.

*Digestate is the liquid or solid material processed through anaerobic digestion. Labeling digestate materials shall be designated by prefixing the name of the feedstock from which it is produced, i.e., cow manure digestate, biosolids digestate, etc.’*

The definition for ‘compost extract’ (tea), which was sponsored by a USCC member, was also voted upon by the AAPFCO membership. The AAPFCO membership approved the definition and it was placed into ‘official’ status.

*‘Compost Extract is the water extract of compost and may contain suspended material’.*

The USCC has supported the compost extract and digestate definitions in order to support current and future USCC members, and the organics recycling industry at large.

### **By-Products & Recycled Products Subcommittee**

*(of the Environmental Affairs Committee)*

The By-Products & Recycled Products Subcommittee met to discuss a variety of subjects, with one being the most relevant to the composting industry. It relates to the required use of a cautionary statement for fertilizers and soil amendments containing beneficial microbes that are also known to be human pathogens. This issue was raised because many microbially-based products have come into the marketplace, some of which are known to also be, or contain, human pathogens. This issue is significant

to the composting industry since comparisons of these microbial products are being made to compost and other organic matter based products, because both of these types of products contain both beneficial microbes and human pathogens. The Working Group within the Subcommittee is close to agreement on the cautionary statement language, but is still debating when the requirement for use of the statement is triggered.

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The AAPFCO 2011 Mid-Year meeting is scheduled for February in Savannah, Georgia.