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**Act No. 41 (S.102). Agriculture; solid waste; composting; feed supplements; dosage form animal health products; plant stimulants**

**An act relating to the regulation of agricultural inputs for farming**

This act amends the definition of “farming” under Act 250 to include importation of up to 2,000 cubic yards per year of food residuals or food processing residuals onto a farm for production of compost, provided that the compost is principally used on the farm where it is produced or the compost is produced on a small poultry farm. The act also adds definitions of “farm,” “food processing residuals,” “food residuals,” “principally used,” and “small farm” to provide clarity on the terms used in the definition of “farming.” The act amends the definition of farming under the Required Agricultural Practices so that it is consistent with the amended definition of farming under Act 250. The act provides that a farm producing compost that qualifies as farming under Act 250 shall be regulated by the Agency of Agriculture, Food and Markets (AAFM) and not the Agency of Natural Resources (ANR).

The act establishes an agricultural residuals management program at AAFM to manage residual wastes generated, imported, or managed on farms. AAFM shall adopt rules for the management of food residuals and food processing residuals on a farm. The rules may include requirements regarding the proper composting of food residuals or food processing residuals. The rules shall prohibit a farm from initiating the production of compost from imported food residuals or food processing residuals on or after July 1, 2021 within a downtown, village center, new town center, neighborhood development area, or growth center, unless the municipality has expressly allowed composting in the designated area. The rules shall be designed to reduce odor, noise, vectors, and other nuisance conditions on farms and to protect the public health and the environment. Prior to AAFM adopting the rules, it shall require a person producing compost on a farm with food residuals or food processing residuals to comply with ANR’s accepted composting practices.

The act also amends the commercial feed chapter in statute to add dosage form animal health products and feed supplements to the products that must be registered with AAFM to be sold in the State. The registration fee for feed supplements will be \$105.00 per product. The registration fee for dosage form animal products shall be \$35.00 per product. Fees are deposited in an AAFM special fund for administering the commercial feed law and other law relating to

fertilizer or seeds. The act also sets labeling requirements for feed supplements and dosage form animal health products and prohibits misbranding or adulteration of the products. AAFM's inspection and regulatory authority will apply to the distribution of feed supplements and dosage form animal health products in the State.

The act also amends the fertilizer and lime chapter in statute to add plant biostimulants, plant amendments, and soil amendments as products that must be registered with AAFM to be sold in State. The registration fee will be \$85.00 per grade or formulation registered. Fees are deposited in an AAFM special fund for use in administering the fertilizer law and other feed or seed law. Distributors of plant biostimulants, plant amendments, and soil amendments are required to annually report amounts of products distributed but would be exempt from tonnage fees. The act sets labeling requirements for plant biostimulants and plant and soil amendments and prohibits misbranding, adulteration, or short weighting of the products. AAFM's inspection and regulatory authority will apply to the distribution of plant biostimulants, plant amendments, and soil amendments in the State.

Multiple effective dates, beginning on May 20, 2021