



COMPOST FACT SHEET #2: Regulation and Certification of Composts

COMPOST FACT SHEET SERIES 2004/2005

*For these fact sheets and other
compost information:
<http://cwmi.css.cornell.edu/Composting.html>*

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Overview

This fact sheet provides information about regulations affecting compost production in New York State (NYS) and describes available certification programs.

Regulations

In NYS, there are four governmental agencies of importance to composters. These include the United States Environmental Protection Agency (USEPA), the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Agriculture and Markets (NYSDAM) and the United States Department of Agriculture (USDA). In general, agricultural composts are not regulated by USEPA or NYSDEC, except in certain cases, which are discussed in the following sections.

United States Environmental Protection Agency

USEPA compost regulations apply only to composts that contain sewage sludge or septage. These rules are part of a larger set of regulations dealing with sewage sludges that are referred to as the "Part 503" regulations. If a compost contains any amount of sludge or septage, then it is subject to regulation by USEPA (as well as NYSDEC).

USEPA regulatory standards are designed to protect human health. As a result, criteria outlined in the Part 503 regulations are often used to measure the relative safety of non-sludge composts. Many laboratories use

To view a "plain English" guide to USEPA Part 503 regulations, visit USEPA at:

<http://www.epa.gov/owm/mtb/biosolids/503pe/index.htm>

testing methods specified by USEPA to analyze compost for bacteria and selected metals.

New York State Department of Environmental Conservation

NYSDEC regulations that pertain to compost can be found in what are called “Part 360” rules that deal with many aspects of solid waste management. In general, agricultural composts are exempt from NYSDEC regulation as long as they do not contain sludge or septage. However, agricultural operations must be properly managed and have minimal environmental problems (either real or perceived), such as excessive odor, runoff, or similar nuisance problems in order to avoid fines and/or regulation. In cases where waste such as pre- or post-consumer food scraps or multi-farm manures are combined at a central location, a NYSDEC permit may be required.

To view Part 360 regulations, visit the NYSDEC website at:

<http://www.dec.state.ny.us/website/regs/360a.htm>

New York State Department of Agriculture and Markets

NYS DAM regulates fertilizers. While composts are not formulated fertilizers, under current rules, any statements regarding nutrient content made in reference to a compost product would cause the compost to fall under the fertilizer rules. These rules are not well suited to composts.

Currently, the New York Farm Bureau, CWMI and others are working with NYSDAM to consider amendments to the fertilizer rules to better accommodate composts.

United States Department of Agriculture

USDA oversees the National Organics Program (NOP). The NOP regulates organic agriculture in the United States, providing regulatory enforcement and organic certification services to the public. USDA implements organic certification through organizations designated as “certifying agents.”

On request, a certifying agent will review information on the compost production process and verify that a compost meets the requirements for use in organic production. To qualify, a compost product must achieve a series of minimum criteria. Qualified composts can be used without restriction in organic production. Other composts and manures can be used, but there are restrictions regarding the time between application and harvest.

Some materials are prohibited in composts to be used for organic production including any type of sludge/biosolids and any fertilizer, plant, or animal material containing synthetic substances listed in the rules.

USDA does not have organic regulations governing the labeling of compost or other such products. It is thus not a violation of federal rules for the term “organic” to appear on a compost label, even if the product could not be used in organic production.

There has been some controversy about what the requirements should be for composts that can be used without restriction in organic production.

These are officially under the promulgated USDA standards:

- initial C:N ratio must be between 25:1 and 40:1,
- windrow system must hold temperatures between 131°-170°F for at least 15 days, and
- turn a minimum of 5 times.

Recognizing that suitable composts can be produced without following these rules, a task force was convened by USDA and guidelines have been established that provide more flexibility.

The guidelines:

- accept C:N of 15:1 to 60:1,
- stipulate a minimum temperature of 131°F for at least 3 days,
- require either turning or other measures to ensure that all parts of the pile gets to required temperatures, and

To learn more about the USDA National Organics Program, and to view the NOP rules, visit:

<http://www.ams.usda.gov/nop/NOP/standards/FullRegTextOnly.html>

•require curing.

Many state organic certifying agencies use the guidelines, however they are not the official standards.

Certification Programs

For most composters, there are three potentially relevant certification programs. One is through the US Composting Council (USCC), a national non-profit industry organization. The second is the Rodale Organic Gardening Seal of Approval Program, which is a joint venture between Rodale, the publisher of Organic Gardening Magazine, and Woods End Research Laboratory (WERL), a laboratory that focuses exclusively on compost. The third is administered by the Organic Materials Review Institute (OMRI) and pertains to the use of materials under organic standards.

Under the National Organics Program, composts are not certified as “organic.” They are approved for use in organic production. Thus a compost producer **cannot make claims that his or her product is “NOFA approved” or “certified organic.”**

The USCC Seal of Testing Assurance Program (STA) requires compost producers to have their compost tested for a selected set of parameters at an STA certified laboratory. There are not standards set for those parameters, except for the metals which must meet the standards under the Part 503 EPA rules for sludge composts. The STA program thus ensures that composts are tested, but does not specify compost quality.

The Rodale program requires testing at WERL for a selected set of parameters, and the results are compared with quality standards that the program has established

for a number of end uses. The compost is then rated according to its suitability for various end uses.

OMRI is a nonprofit organization that reviews products for use in organic production according to the standards established by the USDA National Organic Program (NOP). Products that have passed review are included on the *OMRI Brand Name Product List* and may display the OMRI Listed™ seal. Approved products are classified as Allowed (for unrestricted use) or Regulated (when certain restrictions such as time to crop harvest may be required).

For further information on the USCC Seal of Testing Assurance Program, visit:
<http://tmecc.org/sta/index.html>

For the Rodale program, visit:
<http://www.woodsend.org/aaa/sqa.html>

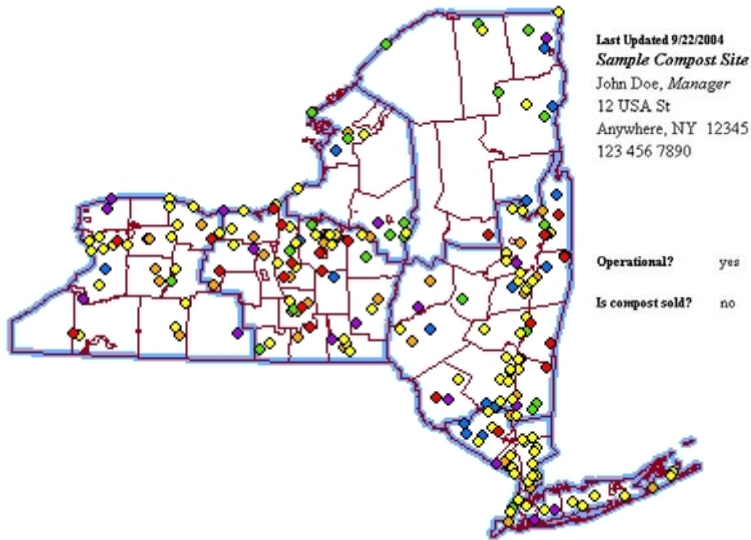
To access the OMRI website, visit:
<http://www.omri.org>

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Maps of a database of NYS Compost Facilities can be accessed at: <http://compost.css.cornell.edu/maps/simple-search.asp> (see example below).

New York State Compost Facilities Search



Last Updated 9/22/2004
Sample Compost Site
 John Doe, *Manager*
 12 USA St
 Anywhere, NY 12345
 123 456 7890

Operational? yes
 Is compost sold? no

Compost Facility Search Results

Feedstocks	
Leaves	yes
Grass	yes
Brush and Branches	yes
Logs, Stumps other Wood	
Pre-consumer Food Waste	yes
Post-consumer Food Waste	yes

Composting Method? windrow piles
 Is compost free? yes
 If yes, to whom? residents

Option #2

Select a map to view facilities

- [All Compost Facilities](#)
- [Yardwaste Composts](#)
- [Manure Compost Facilities](#)
- [Foodscrap Compost Facilities](#)
- [Biosolids Compost Facilities](#)
- [Compost Research Farms](#)
- [Small Scale Compost Demonstration Sites](#)

Select a county from the list below

None Selected ▾

*Click "Submit" to send request

Submit

Composting Resources:

- Farm-Based Composting: Manure & More - <http://www.nraes.org/publications/nraes150.html>
- Natural Rendering: Composting Livestock Mortality & Butcher Waste:
 Fact Sheet - <http://compost.css.cornell.edu/naturalrenderingFS.pdf>
 Video - <http://www.nraes.org/publications/nraes163.html>
- Co-Composter: <http://compost.css.cornell.edu/CoCompost.html>
- Compost...because a rind is a terrible thing to waste - <http://compost.css.cornell.edu/FoodCompostpr.html>

For other composting resources see the CWMI web site at: <http://cwmi.css.cornell.edu/Composting.html>