

**IDAPA 02
TITLE 06
CHAPTER 02**

02.06.02 - RULES PERTAINING TO THE IDAHO COMMERCIAL FEED LAW

011. EXEMPTIONS. Exemptions from product registration shall include: (11-29-12)T

01. Unmixed Whole Seeds. Unmixed whole seeds and physically altered entire unmixed seeds, when such whole or physically altered seeds are not chemically changed or are not adulterated within the meaning of section 25-2707, Idaho Code, or misbranded within the meaning of section 25-2708, Idaho Code. (11-29-12)T

02. Seed Mixtures. Seeds mixed and planted as such mixture, grown and harvested as one (1) crop and processed as one (1) mixture when not adulterated within the meaning of section 25-2707, Idaho Code, or misbranded within the meaning of section 25-2708, Idaho Code. (11-29-12)T

03. Hay. All hay, except commercially dehydrated legumes and grasses and when not adulterated within the meaning of section 25-2707, Idaho Code, or misbranded within the meaning of section 25-2708, Idaho Code. (11-29-12)T

04. Straw. Whole or ground straw, stover, silage, cobs, husks, hulls, wet or pressed beet pulp, pea screenings and beet discard molasses when not mixed with other materials and when not adulterated within the meaning of section 25-2707, Idaho Code, or misbranded within the meaning of section 25-2708, Idaho Code. (11-29-12)T

05. Animals. Live, whole or unprocessed animals when not adulterated within the meaning of section 25-2707, Idaho Code, or misbranded within the meaning of section 25-2708, Idaho Code. (11-29-12)T

06. Animal Remedies. Animal remedies when not adulterated within the meaning of section 25-2707, Idaho Code, or misbranded within the meaning of section 25-2708, Idaho Code. (11-29-12)T

07. Minerals. Individual mineral substances when not mixed with another material and when not adulterated within the meaning of section 25-2707, Idaho Code, or misbranded within the meaning of section 25-2708, Idaho Code. (11-29-12)T

08. Byproducts or Production Waste. Processing byproducts or production waste, which do not undergo further processing, received by the end user directly from the fuel or food processor, when not adulterated within the meaning of section 25-2707, Idaho Code, or misbranded within the meaning of section 25-2707, Idaho Code. This may include wet or pressed beet pulp, pea screenings, and beet discard molasses. (11-29-12)T

0112 – 019. (RESERVED).

020. REGISTRATION AND FEES. Whenever a commercial feed is registered for distribution in the state of Idaho, a fee of forty five dollars (\$405) per product shall be collected. The Department shall utilize these funds for the operation of all program activities, including but not limited to: registration, label review, inspection and sampling, and laboratory analysis. The fee shall be set by the Department such that all costs associated with the commercial feed program will be covered by the registration fee without the need for additional state general or dedicated funding. A dedicated fund balance of not more than one million dollars (\$1,000,000) will be maintained. The registration fee will be reduced or increased by the Department in order to maintain this balance. The following exemption from registration fees shall apply: (11-29-12)T

01. Not Regularly Engaged In The Commercial Feed Business. Sellers who are not regularly engaged in the business of manufacturing or selling commercial feed and whose total amount of gross annual sales does not exceed five hundred dollars (\$500) shall be exempt from payment of the registration fee. However, the Department retains the right to inspect any feed in the possession of those persons exempted by this subsection at any time. This exemption pertains to the registration fee only, and does not exempt a person or business from other sections of these rules and/or the Idaho Commercial Feed Law. The Department reserves the right to review the records of sellers who are claiming or who have claimed that they are exempt from the payment of the registration fee, in order to ensure that they qualify for the exemption. The Department further reserves the right to conduct any and all inspections allowed under Idaho Code Section 25-2709 in order to ensure compliance with these rules and/or the Idaho Commercial Feed Law.

(11-29-12)T