

# Summary of Compost & Compost-Related Fertilizer Regulations

## NEW YORK

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### Introduction

Nationally, organics, such as food and yard waste, constitute more than 25% of the municipal solid waste stream. And, this doesn't even include animal waste, such as manure. There is a renewed interest in diverting organics to compost and in producing value added products.

This document provides an overview of the existing laws as they pertain to the production of compost and fertilizer from compost. It is critical information for any compost processor or producer of fertilizer from compost. In addition to an overview of the laws, where they are available, hyperlinks to the full text are provided, as well as contact information for the regulatory agencies.

### Compost

#### Contacts:

Department of Environmental Conservation		
Composting General	<a href="#">Gary Feinland</a>	518-292-5342
Compost – Backyard	<a href="#">Debbie Jackson</a>	518-402-8705
Compost – Backyard, Commercial, & Municipal	<a href="#">Sally Rowland</a>	518-402-8678

#### Subpart 360-5: Composting Facilities

(Statutory authority: Environmental Conservation Law, Sections 1-0101, 3-0301, 8-0113, 19-0301, 19-0306, 23-2305, 23-2307, 27-0101, 27-0106, 27-0107, 27-0109, 27-0305, 27-0703, 27-0704, 27-0705, 27-0911, 27-1317, 27-1515, 52-0107, 52-0505, and 70-0107)

*Effective Date March 10, 2003*

The regulation is available in its entirety online.

## Sections

- [360-5.1 Applicability](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14693)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14693
- [360-5.2 Definitions](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14692)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14692
- [360-5.3 Exemptions and Registration](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14691)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14691
- [360-5.4 General Permit Application Requirements for Organic Waste Processing Facilities](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14690)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14690
- [360-5.5 Organic Waste Processing Facilities For Biosolids, Mixed Solid Waste, Septage And Other Sludges](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14689)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14689
- [360-5.6 Source-separated Organic Waste Composting Facilities](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14688)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14688
- [360-5.7 Yard Waste Composting Facilities](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14687)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14687
- [360-5.8 Products Generated Outside New York State](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14686)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14686
- [360-5.9 Research Projects](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14685)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14685
- [360-5.10 Tables](http://www.dec.ny.gov/regs/4411.html?showprintstyles#14684)  
http://www.dec.ny.gov/regs/4411.html?showprintstyles#14684

## Fertilizer

### [Article 10 of the Agriculture and Markets Law relating to Sale and Analysis of Commercial Fertilizer with Rules and Regulations for Sale and Analysis of Commercial Fertilizer, Revised 1999](http://law.justia.com/newyork/codes/agriculture-markets/idx_agm0a10.html)

[http://law.justia.com/newyork/codes/agriculture-markets/idx\\_agm0a10.html](http://law.justia.com/newyork/codes/agriculture-markets/idx_agm0a10.html)

#### **Pertinent Definitions**

*Commercial fertilizer* means any substance containing one or more recognized plant nutrients which is used for its plant nutrient content, and which is designed for use or claimed to have value in promoting plant growth, except unmanipulated animal and vegetable manures, agricultural liming material, wood ashes, gypsum and other products exempted by regulation of the commissioner.

A *specialty fertilizer* means a commercial fertilizer distributed primarily for non-farm use, such as home gardens, lawns, shrubbery, flowers, golf courses, municipal parks, cemeteries, greenhouses and nurseries, and such other use as the commissioner may define by regulation.

<b>License Requirement Per Product</b>	Submitted biennially for any type of fertilizer
<b>License Fee Per Product</b>	Paid biennially
<b>Registration Fee Per Product</b>	Submitted semi-annually for commercial fertilizers
<b>Labeling Requirements</b>	Yes
<b>Tonnage Reports</b>	Submitted annually for commercial fertilizers
<b>Tonnage Fee</b>	Paid annually for commercial fertilizers
<b>Inspection Responsibility</b>	Commissioner of the Department of Agriculture and Markets or his authorized agent
<b>Contact Person</b>	<a href="#">Robert Mungari</a> , (518) 457-2087
<b>Website</b>	<a href="http://www.agmkt.state.ny.us/">http://www.agmkt.state.ny.us/</a>