



# Oregon

Theodore R. Kulongoski, Governor

Department of Agriculture

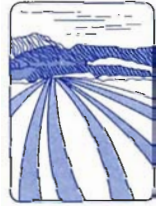
635 Capitol Street NE  
Salem, OR 97301-2532

To: Katy Coba, Director

From: Janet Fults, Fertilizer Program Manager

Date: December 13, 2005

Re: Fertilizer Administrative Rule OAR 603-059-0100  
Limits of Non Nutritive Constituents



Oregon Administrative Rule (OAR) Chapter 603 Division 059 Section 0100 addresses limits of non nutritive constituents in fertilizer, agricultural amendment, agricultural mineral and lime products sold or distributed in the state. This OAR states that the Oregon Department of Agriculture (ODA) will review the permitted levels of metals or other substances in fertilizer, agricultural amendment, agricultural mineral, and lime products (referred to hereafter as fertilizer products) every three years as authorized by ORS 633.362(11). This OAR went into effect on January 1, 2003 thus making the first three-year review due on or before January 1, 2006.

On September 30, 2005, Dr. Larry Curtis, Department of Environmental and Molecular Toxicology at Oregon State University completed a study entitled "Validating Modeling Parameters for Risk Assessment of Metals in Fertilizers". This study was approved and funded by the Fertilizer Research Committee as created and defined in ORS 633.479.

The research project conducted by Dr. Curtis was completed in two parts. The first part was a comprehensive literature review to ensure complete awareness of research conducted involving heavy metals in fertilizer products. Specifically, this literature review focused on the five metals addressed in ORS 633: Arsenic, cadmium, lead, mercury, and nickel. The second part of the study was to review all relevant information found in the literature review of part one and any other relevant research which may be useful in evaluating the parameters used by ODA in the risk assessment of metals in fertilizer products when setting the original metal limits. It was the primary goal of this project to validate the risk assessment process upon which the metal limits were set.

On October 19, 2005, Dr. Curtis reported his findings to the Fertilizer Research Committee. His findings concluded that for the five metals specifically identified in ORS 633, there was no new information on the environmental chemistry or toxicology that influenced key elements of the risk assessments utilized in the setting of metal levels for fertilizer products in Oregon. Dr. Curtis supports the current and continued field-based research on the accumulation and transport pathways of these metals, primarily cadmium, from phosphate fertilizers in Oregon agricultural soils.

The Fertilizer Research Committee recommends maintaining the current permitted levels of metals until such information is available that would warrant reevaluation or in the three year review process (January 1, 2009).