

AGRICULTURAL EXPERIMENT STATION
(Amendment)

12 KAR 2:046. Poisonous or deleterious substances.

RELATES TO: KRS 250.501(4), (5), (6), (7), (8), (24), 250.541, 250.551(1), (2), (3)

STATUTORY AUTHORITY: KRS 250.571(1)

CERTIFICATION STATEMENT: This certifies that this administrative regulation complies with the requirements of 2025 RS HB 6, Section 8.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 250.571(1) authorizes the Director of the Agricultural Experiment Station to promulgate administrative regulations necessary for the efficient enforcement of KRS 250.491 to 250.631, regarding commercial feeds. This administrative regulation establishes the requirements for the safe use of substances that might have deleterious effects if not fed according to the following standards.

Section 1. For the purpose of KRS 250.541(1)(a), poisonous or deleterious substances shall include but are not limited to the following:

- (1) Fluorine and a mineral or mineral mixture that is fed directly to a domestic animal if the fluorine exceeds:
 - (a) 0.20 percent for breeding or dairy cattle;
 - (b) 0.30 percent for slaughter cattle;
 - (c) 0.30 percent for sheep;
 - (d) 0.35 percent for lambs;
 - (e) 0.45 percent for swine; and
 - (f) 0.60 percent for poultry.
- (2) A fluorine-bearing ingredient if used in an amount that raises the fluorine content of the total ration, excluding roughage, above:
 - (a) 0.004 percent for breeding or dairy cattle;
 - (b) 0.009 percent for slaughter cattle;
 - (c) 0.006 percent for sheep;
 - (d) 0.01 percent for lambs;
 - (e) 0.015 percent for swine; and
 - (f) 0.03 percent for poultry.
- (3) A fluorine-bearing ingredient mixed in feed that:
 - (a) Is fed directly to cattle, sheep, or goats that consume roughage regardless of the amount of grain consumed; and
 - (b) Results in a daily intake of more than fifty (50) milligrams of fluorine per 100 pounds of body weight.
- (4) Soybean meal, flakes or pellets or another vegetable meal, flake, or pellet that have been extracted with trichloroethylene or other chlorinated solvent.
- (5) Sulfur dioxide, sulfurous acid, and salts of sulfurous acid that are used in or on feeds or feed ingredients that are considered or labeled a significant source of vitamin B₁ (thiamine).
- (6) Raw leather residue from tanning or leather manufacturing.

Section 2. A screening or by-product of grains and seeds containing weed seeds used in commercial feed or sold as commercial feed to the ultimate consumer shall be ground fine enough or otherwise treated to destroy the viability of the weed seeds so the finished product contains:

- (1) No viable prohibited noxious weed seeds; and
- (2) Not more than 480 viable restricted weed seeds per pound.

DR. JAMES MATTHEWS, Director

APPROVED BY AGENCY: September 10, 2025

FILED WITH LRC: September 11, 2025 at 10:50 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 24, 2025, at 9:00 a.m., at the offices of the Division of Regulatory Services, 1600 University Court, Lexington, Kentucky 40546. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2025. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: G. Alan Harrison, Feed & Milk Director, University of Kentucky Division of Regulatory Services, 103 Regulatory Services Building, Lexington, Kentucky 40546, phone (859) 257-2785, fax (859) 323-9931, email alan.harrison@uky.edu.