

DISTILLERS WET GRAINS EXEMPTION

This information document is to clarify the exemption for feed that consists of 60 percent or more of water from commercial feeding stuffs. According to K.S.A. 2-1001, the term “commercial feeding stuffs” does not include feed that consists of 60 percent or more of water. Therefore, there is no inspection fee due and owing to the Kansas Department of Agriculture (KDA) for the sale or distribution of that feed.

In order to show that feed sold, offered or exposed for sale, or distributed is exempt from Kansas commercial feeding stuffs law, K.S.A. 2-1001 *et seq.* and the inspection fee you must:

1. Complete the exemption form included with the Feeding Stuff Tonnage and Inspection Fee Report (Report).
2. Submit the guaranteed analysis to KDA for that product with the report showing the maximum moisture as required by K.A.R. 4-3-48, which adopts the definition of DWG in the 2007 Official Publication of Association of American Feed Control Officials Incorporated.
3. Keep such records as may be necessary to indicate accurately the tonnage of commercial feeding stuffs sold, and as are satisfactory to the secretary, which are subject to review by the secretary’s representative. K.S.A. 2-1004.

DWG remains subject to sampling and analysis by Kansas Department of Agriculture personnel to verify that it does in fact consist of 60 percent or more of water. DWG that is found to contain less than 60 percent water is subject to the inspection fee and any penalties that may be incurred as a result of failing to include that product on the report and timely paying the inspection fee.

Agriculture Commodity Assurance Program (ACAP)

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