

LEA-All Email 2024:24 - Guidance to LEAs on Landfill Disposal of Poultry Carcasses and California Medical Waste Law

Landfill Disposal of Animal Carcasses

The California Department of Public Health, Medical Waste Program, has provided direction to the California Department of Food and Agriculture and CalRecycle that medical waste does not include waste generated from normal and legal veterinarian, agricultural, and animal livestock management practices on a farm or ranch unless otherwise specified in law [[HSC section 117700\(f\)](#)]. This is applicable to poultry carcass waste resulting from the impacts of the H5N1 outbreak. Local Enforcement Agencies are asked to inform the solid waste landfill operators in their jurisdiction about this determination.

As a reminder, please refer to “*All-LEA Announcement 2024:23*” regarding the emergency waiver process, storage, testing, and land application of poultry carcasses affected by H5N1 (see below). For other questions or assistance, please reach out to your [permitting point of contact](#) or email PermitTrainingAssistance@calrecycle.ca.gov.

This announcement is being sent on behalf of the Permitting and Assistance Branch, CalRecycle.

LEA-All Email 2024:23 - Emergency Guidance to LEAs on Management of Poultry Carcasses Affected by H5N1

Exclusion from Composting Regulations and Emergency Waiver Process

CalRecycle has determined that the USDA process for managing poultry mortality material, when overseen by CDFA, is not producing finished compost as defined in Chapters 3.1 and 3.2 of Title 14, Division 7. The carcasses resulting from the current H5N1 (avian flu) emergency are being managed through this process, the output of which is best managed as an agricultural material, as defined in 14 CCR 17852(a)(5). These processing operations are temporary in nature and are excluded from regulation as composting activities per 14 CCR 17855(a)(5)(E); therefore, an emergency waiver pursuant to 14 CCR 17210.2 will not be necessary and existing waivers related to this emergency are moot.

Storage, Land Application, and Testing Alternatives

The agricultural material can leave the site without testing and it can be stored on site or off site, subject to the usual standards for storage of agricultural material. However, prior to being land applied, a determination will need to be made that it meets requirements for metals, pathogens, and physical contamination, as required in 14 CCR 17852(a)(24.5)(A).

Per 14 CCR 17868.2(b), 17868.3(d), and 17868.3.1(e), an LEA can grant an alternative method of compliance to testing the material if it is confirmed that the material went through the USDA process, was overseen by CDFA staff, and that the inputs used were all agriculture materials, as defined in 14 CCR 17852(a)(5), as historical testing data shows that the levels for metals, pathogens, and physical contamination are consistently below requirements.

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