

2 **ESSB 5208** - H COMM AMD
3 By Committee on Agriculture & Ecology

4 ADOPTED AS AMENDED 4/15/99

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 15.54.340 and 1998 c 36 s 6 are each amended to read
8 as follows:

9 (1) Any commercial fertilizer distributed in this state shall have
10 placed on or affixed to the package a label setting forth in clearly
11 legible and conspicuous form the following information:

12 (a) The net weight;

13 (b) The product name, brand, and grade. The grade is not required
14 if no primary nutrients are claimed;

15 (c) The guaranteed analysis;

16 (d) The name and address of the registrant or licensee. The name
17 and address of the manufacturer, if different from the registrant or
18 licensee, may also be stated;

19 (e) Any information required under WAC 296-62-054;

20 (f) At a minimum, one of the following labeling statements:
21 (~~"This product has been registered with the Washington State~~
22 ~~Department of Agriculture. When applied as directed, this fertilizer~~
23 ~~meets the Washington standards for arsenic, cadmium, cobalt, mercury,~~
24 ~~molybdenum, lead, nickel, selenium, and zinc. You have the right to~~
25 ~~receive specific information about Washington standards from the~~
26 ~~distributor of this product."~~;

27 (~~g) After July 1, 1999, the label must also state:))~~

28 (i) "Information received by the Washington State Department of
29 Agriculture regarding the components in this product is available on
30 the internet at [http://www.wa.gov/agr/\(\(-\)\)](http://www.wa.gov/agr/((-)));" or

31 (ii) "Information regarding the contents and levels of metals in
32 this product is available on the internet at <http://www.wa.gov/agr/>;"
33 or

34 (iii) "Information regarding the contents and levels of metals in
35 this product is available on the internet at [http://www.regulatory-](http://www.regulatory-info-xx.com)
36 info-xx.com". Each registrant must substitute a unique alpha numeric

1 identifier for "xx". This statement may be used only if the registrant
2 establishes and maintains the internet site and the internet site meets
3 the following criteria:

4 (A) There is no advertising or company-specific information on the
5 site;

6 (B) There is a clearly visible, direct hyperlink to the
7 department's internet site specified in (f)(i) and (ii) of this
8 subsection (1); and

9 (C) Any other criteria adopted by the director by rule; and

10 ~~((h))~~ (g) Other information as required by the department by
11 rule.

12 (2) If a commercial fertilizer is distributed in bulk, a written or
13 printed statement of the information required by subsection (1) of this
14 section shall accompany delivery and be supplied to the purchaser at
15 the time of delivery.

16 (3) Each delivery of a customer-formula fertilizer shall be subject
17 to containing those ingredients specified by the purchaser, which
18 ingredients shall be shown on the statement or invoice with the amount
19 contained therein, and a record of all invoices of customer-formula
20 grade mixes shall be kept by the registrant or licensee for a period of
21 twelve months and shall be available to the department upon request:
22 PROVIDED, That each such delivery shall be accompanied by either a
23 statement, invoice, a delivery slip, or a label if bagged, containing
24 the following information: The net weight; the brand; the guaranteed
25 analysis which may be stated to the nearest tenth of a percent or to
26 the next lower whole number; the name and address of the registrant or
27 licensee, or manufacturer, or both; and the name and address of the
28 purchaser.

29 ~~((4) Any person who distributes a commercial fertilizer in this~~
30 ~~state shall make available to the purchaser on request, a copy of~~
31 ~~standards for metals established in RCW 15.54.800.))~~

32 NEW SECTION. Sec. 2. This act is necessary for the immediate
33 preservation of the public peace, health, or safety, or support of the
34 state government and its existing public institutions, and takes effect
35 July 1, 1999."

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4 On page 1, line 1 of the title, after "language;" strike the
5 remainder of the title and insert "amending RCW 15.54.340; providing an
6 effective date; and declaring an emergency."

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