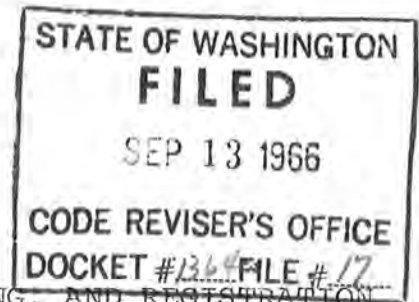


STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1032

(Supersedes Order No. 999)

Effective October 15, 1966



REGULATIONS PERTAINING TO DEFINITIONS, LABELING, AND REGISTRATION
OF FERTILIZERS

I, Donald W. Moos, Director of Agriculture of the State of Washington by virtue of the authority vested in me under Chapter 15.54 RCW and after due notice and a public hearing held in Seattle, Washington on August 23, 1966, as provided under Chapter 34.04 and 42.32 RCW, do hereby promulgate the following regulations relating to definitions, labeling, and registration of fertilizers.

- Regulation 1. Definition, Labeling, and Registration of Customer-Formula Fertilizers
- a. Definition. A customer-formula fertilizer is a commercial fertilizer or agricultural mineral formulated according to specifications furnished by a consumer prior to mixing.
 - b. Each delivery of a customer-formula fertilizer shall be subject to containing those ingredients specified by the purchaser which shall be shown on the statement or invoice with the amount contained therein in addition to the information required in Sections 15.54.060, 15.54.070, and 15.54.080 RCW of the Washington Fertilizer Act; Provided, That each such delivery of customer-formula fertilizers shall be accompanied by either the statement, invoice, a delivery slip, or a label containing the information required in 15.54.120 RCW; Provided further, That customer-formula fertilizers distributed in bags must also have attached a label containing the information required in 15.54.120 RCW. It is important that the requirement of percentage guarantees on all shipments of customer-formula grade mixes be followed; any official samples taken will be analyzed against these guarantees.
 - c. Companies planning to mix customer-formula fertilizers shall include the statement "Customer-Formula Grade Mixes" under the column headed GRADES on the brand registration application form.
 - d. A record of all invoices of customer-formula grade mixes shall be kept for a period of six months and shall be available to the Department upon request.

Regulation 2. Secondary and Minor Plant Nutrients

When secondary and minor plant nutrients are mentioned in any form or manner on a label, they shall be guaranteed on the elemental basis. Sources of the elements guaranteed shall be shown on the label. The minimum percentages accepted for testing and registration are:

| <u>Element</u> | <u>Percent</u> |
|-----------------|----------------|
| Calcium (Ca) | 1.00 |
| Magnesium (Mg) | 0.50 |
| Sulfur (S) | 1.00 |
| Boron (B) | 0.02 |
| Chlorine (Cl) | 0.10 |
| Cobalt (Co) | 0.0005 |
| Copper (Cu) | 0.05 |
| Iron (Fe) | 0.10 |
| Manganese (Mn) | 0.05 |
| Molybdenum (Mo) | 0.0005 |
| Sodium (Na) | 0.10 |
| Zinc (Zn) | 0.05 |

The only secondary and minor plant nutrients which will be accepted are listed above. Proposed labels shall be furnished with the registration application form. Warning or caution statements are required on the label for any product which contains 0.03 percent or more of boron in water-soluble form or 0.001 percent or more of molybdenum. Any of the listed elements which are guaranteed shall be listed immediately following guarantees for the primary nutrients, nitrogen, phosphorus, and potassium.

Regulation 3. Definitions, Regulations, and Analysis

When not specifically stated in Chapter 15.54 RCW or otherwise designated by the Department, the Department will be guided by the definitions of general terms and fertilizer materials as set forth in the Official Publication of the Association of American Fertilizer Control Officials. The methods of sampling and analysis shall be those of the Association of Official Analytical Chemists or other approved methods.

Regulation 4. Specialty Fertilizers

- a. A manipulated vegetable or animal manure, when offered for sale as a specialty fertilizer, distributed for its plant nutrient content and designed for use, or claimed to have value in promoting plant growth, shall have a grade guarantee along with other required label information.
- b. Manipulated manures containing more than 30% acid insoluble ash (sand) shall be labeled "Sheep Manure and Sand", or "Sheep Manure, Sand, and Other Inert Matter", or "Sheep Manure, Sand, and Top Soil" - (use appropriate term: steer, cattle, poultry, etc.). Acid insoluble ash shall be calculated on the basis of the manure sample being corrected to 30% moisture.
- c. Manipulated manures containing more than 50% acid insoluble ash (sand) shall be labeled "Sand and Sheep Manure", or "Sand, Other Inert Matter, and Sheep Manure", or "Sand, Top Soil, and Sheep Manure" - (use appropriate term: Steer, cattle, poultry, etc.). Acid insoluble ash shall be calculated on the basis of the manure sample being corrected to 30% moisture.

- d. Claims for organic fertilizer shall be based on one of the following requirements:
 - 1. Must be a naturally occurring substance generally recognized as the hydrogen compounds of carbon and their derivatives, or;
 - 2. Must contain a minimum of 40% (by weight) of organic matter (loss on ignition following oven drying), and must contain a minimum of 40% of the total nitrogen (N) as water insoluble organic nitrogen as determined by AOAC 2.047, or;
 - 3. Must be synthetic products of similar composition to (1) above in which the water insoluble nitrogen content is at least 60% of the total nitrogen guaranteed.
- e. A qualifying word such as "base" or "fortified" modifying the term organic shall be printed in the same size, color, and type of print as the word organic on the fertilizer label and the product represented shall meet the following requirements:
 - 1. Must contain a minimum of 15% (by weight) of organic matter (loss on ignition following oven drying), and must contain a minimum of 15% of the total nitrogen (N) as water insoluble organic nitrogen as determined by AOAC 2.047, or;
 - 2. Must be synthetic products of similar composition to d. (1) above in which the water insoluble nitrogen content is at least 30% of the total nitrogen guaranteed.

Regulation 5. Fertilizer Brand Registration

- a. All fertilizer companies, including companies engaged in customer-formula mixing, dry or liquid, shall comply with Section 15.54.030 RCW which states, "Each brand of commercial fertilizer, agricultural mineral, or lime shall be registered with the Department before being sold or offered for sale in this state"
- b. Subsection 15.54.010 (8) states, "Brand" means a term, design, or trademark used in connection with the distribution and sale of one or more grades of commercial fertilizers, agricultural minerals, or lime.
- c. When a fertilizer is mixed, added to, or in any way changed from its original grade or content of secondary or minor nutrients, it is a different product.
- d. When a registered brand grade is changed by any commercial fertilizer manufacturer or ultimate dealer, such manufacturer or ultimate dealer shall have registered a brand as provided under Section 15.54.030 RCW.

- e. Brand Name. The addition of another prominent name or design to the registered brand other than descriptive words associated with the grade, shall constitute a different brand, for example: Blue Bird 5-10-10 vs John Doe Blue Bird 5-10-10.

Regulation 6. Labeling

The use of multilabeling, including directions for use and grade guarantees for other than the contents of the container, is misleading, and will not be accepted for registration.

I hereby certify that the foregoing is a true and correct copy of the regulation promulgated by the Department of Agriculture.



DONALD W. MOOS
Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: _____

STATUTE LAW COMMITTEE
Office of the Code Reviser
Legislative Building
Olympia, Washington

R E C E I P T No. 77

Received September 13, 1966 rules and regulations
of Wn. Department of Agriculture comprising
four pages, relating to Order No. 1032.

Regulations pertaining to definitions, labeling, and
registration of fertilizers.

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