

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5866

Chapter 382, Laws of 1999

56th Legislature
1999 Regular Session

FERTILIZER PRODUCTS--COMPONENT REGISTRATION

EFFECTIVE DATE: 7/1/99

Passed by the Senate April 22, 1999
YEAS 46 NAYS 0

BRAD OWEN
President of the Senate

Passed by the House April 14, 1999
YEAS 75 NAYS 22

CLYDE BALLARD
Speaker of the
House of Representatives

FRANK CHOPP
Speaker of the
House of Representatives

Approved May 18, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5866** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

May 18, 1999 - 3:14 p.m.

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE SENATE BILL 5866

AS AMENDED BY THE HOUSE

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Senate Committee on Environmental Quality & Water Resources
(originally sponsored by Senators Fraser, Prentice, Kline and
Kohl-Welles; by request of Department of Agriculture)

Read first time 03/03/99.

1 AN ACT Relating to eliminating component registration of fertilizer
2 products; amending RCW 15.54.325; providing an effective date; and
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 15.54.325 and 1998 c 36 s 4 are each amended to read
6 as follows:

7 (1) No person may distribute in this state a commercial fertilizer
8 until it has been registered with the department by the producer,
9 importer, or packager of that product. A bulk fertilizer does not
10 require registration if all commercial fertilizer products contained in
11 the final product are registered.

12 (2) An application for registration shall be made on a form
13 furnished by the department and shall be accompanied by a fee of
14 twenty-five dollars for each product. Labels for each product shall
15 accompany the application. All companies planning to mix customer-
16 formula fertilizers shall include the statement "customer-formula grade
17 mixes" under the column headed "product name" on the product
18 registration application form. All customer-formula fertilizers sold
19 under one brand name shall be considered one product.

1 (3) An application for registration shall include the following:

2 (a) The product name;

3 (b) The brand and grade;

4 (c) The guaranteed analysis;

5 (d) Name, address, and phone number of the registrant;

6 (e) Labels for each product being registered;

7 (f) Identification of those products that are (i) waste-derived
8 fertilizers, (ii) micronutrient fertilizers, or (iii) fertilizer
9 materials containing phosphate;

10 ~~(g) ((Identification of the fertilizer components in the commercial
11 fertilizer product and verification that all the components are
12 registered. If any of the components are not registered, then the
13 application must include))~~ The concentration of each metal, for which
14 standards are established under RCW 15.54.800, in each ((fertilizer
15 component, for which standards are established under RCW 15.54.800))
16 product being registered, unless the product is (i) anhydrous ammonia
17 or a solution derived solely from dissolving anhydrous ammonia in
18 water, (ii) a customer-formula fertilizer containing only registered
19 commercial fertilizers, or (iii) a packaged commercial fertilizer whose
20 plant nutrient content is present in the form of a single chemical
21 compound which is registered in compliance with this chapter and the
22 product is not blended with any other material. The provisions of
23 (g)(i) of this subsection do not apply if the anhydrous ammonia is
24 derived in whole or in part from waste such that the fertilizer is a
25 "waste-derived fertilizer" as defined in RCW 15.54.270. Verification
26 of a registration relied on by an applicant under (g)(iii) of this
27 subsection must be submitted with the application;

28 (h) Waste-derived fertilizers and micronutrient fertilizers shall
29 include at a minimum, information to ensure the product complies with
30 chapter 70.105 RCW and the resource conservation and recovery act, 42
31 U.S.C. Sec. 6901 et seq.; and

32 (i) Any other information required by the department by rule.

33 (4) If an application for renewal of the product registration
34 provided for in this section is not filed prior to July 1st of any one
35 year, a penalty of ten dollars per product shall be assessed and added
36 to the original fee and shall be paid by the applicant before the
37 renewal registration shall be issued. The assessment of this late
38 collection fee shall not prevent the department from taking any other
39 action as provided for in this chapter. The penalty shall not apply if

1 the applicant furnishes an affidavit that he or she has not distributed
2 this commercial fertilizer subsequent to the expiration of his or her
3 prior registration.

4 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and takes effect
7 July 1, 1999.

Passed the Senate April 22, 1999.

Passed the House April 14, 1999.

Approved by the Governor May 18, 1999.

Filed in Office of Secretary of State May 18, 1999.