

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5208

Chapter 381, Laws of 1999

56th Legislature
1999 Regular Session

FERTILIZER LABELING

EFFECTIVE DATE: 7/1/99

Passed by the Senate April 22, 1999
YEAS 35 NAYS 9

BRAD OWEN
President of the Senate

Passed by the House April 15, 1999
YEAS 55 NAYS 42

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 5208** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

May 18, 1999 - 3:13 p.m.

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE SENATE BILL 5208

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 Rasmussen, Stevens, T. Sheldon and
Morton)

Read first time 03/03/99.

1 AN ACT Relating to fertilizer labeling language; amending RCW
2 15.54.340; providing an effective date; and declaring an emergency.

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

4 **Sec. 1.** RCW 15.54.340 and 1998 c 36 s 6 are each amended to read
5 as follows:

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

9 (a) The net weight;

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

12 (c) The guaranteed analysis;

13 (d) The name and address of the registrant or licensee. The name
14 and address of the manufacturer, if different from the registrant or
15 licensee, may also be stated;

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

17 (f) At a minimum, one of the following labeling statements:
18 (~~"This product has been registered with the Washington State~~
19 ~~Department of Agriculture. When applied as directed, this fertilizer~~

1 meets the Washington standards for arsenic, cadmium, cobalt, mercury,
2 molybdenum, lead, nickel, selenium, and zinc. You have the right to
3 receive specific information about Washington standards from the
4 distributor of this product.";

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

6 (i) "Information received by the Washington State Department of
7 Agriculture regarding the components in this product is available on
8 the internet at <http://www.wa.gov/agr/>"); or

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

12 (iii) "Information regarding the contents and levels of metals in
13 this product is available on the internet at [15 identifier for "xx". This statement may be used only if the registrant
16 establishes and maintains the internet site and the internet site meets
17 the following criteria:](http://www.regulatory-</u>
14 <u>info-xx.com)

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

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

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

24 ~~((h))~~ (g) Other information as required by the department by
25 rule.

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

30 (3) Each delivery of a customer-formula fertilizer shall be subject
31 to containing those ingredients specified by the purchaser, which
32 ingredients shall be shown on the statement or invoice with the amount
33 contained therein, and a record of all invoices of customer-formula
34 grade mixes shall be kept by the registrant or licensee for a period of
35 twelve months and shall be available to the department upon request:
36 PROVIDED, That each such delivery shall be accompanied by either a
37 statement, invoice, a delivery slip, or a label if bagged, containing
38 the following information: The net weight; the brand; the guaranteed
39 analysis which may be stated to the nearest tenth of a percent or to

1 the next lower whole number; the name and address of the registrant or
2 licensee, or manufacturer, or both; and the name and address of the
3 purchaser.

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

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

Passed the Senate April 22, 1999.

Passed the House April 15, 1999.

Approved by the Governor May 18, 1999.

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