

FEDERAL AND STATE REGULATIONS

State legislatures closing after an active round on fertilizer control

WITH a total of the 44 of 48 state legislatures in session this year there have been a number of developments in the field of fertilizer regulation which are of general interest.

Analysis and Registration

Registration and label analysis requirements were proposed or modified in the following states:

Michigan H218 proposes inspection and regulation of the sale of commercial fertilizers. Percentages of active ingredients would be subject to approval by the Commissioner of Agriculture before the guarantee statement would be permitted on the label. Soil conditioners and trace element sources will be licensed only if the claims can be substantiated by adequate experimental evidence. In addition, an inspection fee of eight cents per ton for commercial fertilizers is proposed. The bill has passed and been approved by the governor.

California H2535 would require commercial fertilizer distributors selling agricultural minerals to unregistered persons to pay the state agricultural minerals tax. The bill has passed in the assembly.

Idaho H19 and H75 to abolish requirements for total phosphoric acid content on the fertilizer label, also proposed to create a commercial feed and fertilizer fund. The first bill was passed but vetoed by the governor, the second bill, with essentially the same provisions was passed and approved.

Indiana H132 proposed a state fertilizer control bill to regulate the sale and distribution of fertilizer.

New Mexico S244 establishing an annual fee for fertilizer distributors has been passed.

Oklahoma S461 proposes an amendment to the present fertilizer labeling law. The analysis guarantee statement can be placed either on the package or on a tag attached to the package. The ingredient statement must contain a list of all ingredients and their percentage in the constitution of the fertilizer. The bill has passed in the Senate. As it has been approved the bill would require disclosure of formulation.

Rhode Island H624 proposed to regulate the labeling and registration of commercial fertilizers and agricultural minerals. Provides for an analysis fee of

\$10 for each fertilizer ingredient in each brand or grade sold. Also provides an extra fee of 10 cents per ton for fertilizer sold in packages of more than 25 pounds. The bill has passed the legislature and been signed by the governor.

Washington H84 as proposed closely follows the model fertilizer control bill. The bill has been passed and signed by the governor.

Wyoming H98 proposed modification of the state registration and labeling law.

Fees and Taxes

Increases of fees and taxes on fertilizers were proposed in several states this session.

Arkansas H398 proposed a tax of $37\frac{1}{2}$ cents per ton on commercial fertilizer sales, to provide for a soil test service. The tax is among the highest in the nation. The bill has been passed and signed by the governor.

Florida S471 providing for inspection fees of 25 cents per ton on commercial fertilizers and 10 cents per ton on agricultural minerals has been approved. The bill also sets up a reporting system for payment of fees on a monthly tonnage basis.

Iowa H152 was proposed to remove the previous sales tax exemption from fertilizers and agricultural minerals.

Missouri H261 to require registration of fertilizer distributors also levied a tonnage fee of 30 cents per ton on sales of fertilizers. The bill was passed and approved.

Sales Tax Exemptions

Bills proposing exemption of fertilizers and agricultural chemicals from sales taxes were proposed in the following states:

Alabama H177 proposes exemption of fungicides from the state sales tax.

Alabama H178, similar to 177, would exempt insecticides from the sales tax. The Alabama legislature is now in session and thus far there has been no report of action taken on these bills.

Arkansas H395 proposed exemption of fertilizers from the state sales tax. The bill passed both houses of the legislature but was vetoed by the governor.

Kansas H386 proposing exemptions from sales taxes for seed, feed, and fertilizers was passed and approved by the governor.

Oklahoma H559 for the exemption of

feeds, seeds, and fertilizer was killed in a legislative committee conference.

South Carolina H1210 proposes sales tax exemptions for fertilizer, nursery stock, and soil conditioners. The bill was passed in the House.

Tennessee S268 and H1210. These bills both proposed tax exemptions for fertilizers and agricultural chemicals.

Ammonia Regulations

The increasing use of anhydrous ammonia as a source of nitrogen also prompted the consideration of this material by the legislatures.

Arkansas S190 proposed that the labeling information required regarding the ingredients could be given on the invoice rather than the container for the sale of anhydrous ammonia and other bulk fertilizers. The bill was passed by the legislature and signed by the governor.

Kansas H95 was proposed to establish regulations for the safe handling and storage of anhydrous ammonia. The state fire marshall would be assigned the responsibility to establish the regulations after consultation with interested parties. The bill was passed by the legislature and signed by the governor.

North Carolina S294, another bill proposed to establish safe handling and storage practices for anhydrous ammonia. Storage containers would conform to the standards set by the American Society of Mechanical Engineers and be able to withstand a minimum pressure of 250 pounds per square inch. Also, distributors would be required to carry liability insurance of \$10,000. Plans for distribution plants must be approved by the state. The bill was signed by the governor.

F.T.C. Begins to Clamp Down On Liquid Soil Conditioners

The Federal Trade Commission has dismissed its complaint against a Philadelphia formulator of a liquid soil conditioner after it found that the formulator was going out of business following bankruptcy proceedings. The original FTC complaint was filed for false and misleading claims made for the product.

Meanwhile, the commission has invited manufacturers to participate in a trade practice conference on the problem presented by the advertising of liquid fertilizers and soil conditioners. Spokesmen for the FTC say that the commission is going to give critical study to the advertising claims advanced for these products (see page 431).