

LEGISLATION AND REGULATIONS

FTC schedules hearings on trade practices for soil conditioners

THE FEDERAL TRADE COMMISSION has issued a new draft of its proposed Trade Practices Rules for the soil conditioner industry. The FTC has announced that public hearings on the rules will be held in New York City at the U. S. Court House on April 23, beginning at 10 a.m. The previous hearings held in Washington found the industry representatives unable to agree on a definition of their product, (AG AND FOOD, p. 1237, Dec. 23, 1953). The new rules are in part a result of the previous hearings.

A partial text of the proposed rules follows:

Definition of Industry Product

As used in these rules, the term "industry product" means any synthetic organic chemical substance, or chemically modified natural substance, which is represented as having a primary function of forming soil aggregates in soil to which it has been applied and thereby improving the resistance of such soil to

the slaking action of water, increasing its water or air permeability, improving the resistance of its surface to crusting, improving the ease of cultivation, and/or otherwise favorably modifying its structural or physical properties.

Rule 1—Misrepresentation and deception in the sale of industry products

A. In the sale, offering for sale, or distribution of industry products it is an unfair trade practice to represent or imply, either with or without accompanying qualifications or statements, that an industry product—

1. Will effect a beneficial crop response in all types and kinds of soils;
2. Is a substitute, in any significant degree, for nutrient material;
3. Is a complete substitute for organic matter (i.e., peat, humus, etc.);
4. Will effect a material modification of the texture of any soil; and
5. Will permanently exert a conditioning effect upon a treated soil.

B. It is also an unfair trade practice, . . . to imply that—

1. A particular quantity. . . of the industry product will effectively treat any specified area of soil, without clear and adequate disclosure in conjunction with such representation, of the depth to which such area will be effectively benefited;
2. An industry product will effectively form and stabilize soil aggregates, when the maximum benefit is dependent upon preparation of the soil for the application of the industry product or adequate mixing of said product with the soil, without clear disclosures of all relevant information regarding such preparations and/or mixing;
3. An industry product which has been mixed, packaged, or otherwise combined with a plant nutrient, will exert a beneficial effect as a soil conditioner and/or fertilizer, without clear and adequate disclosures, in conjunction with such representation, of the area and depth of soil which will be (a) effectively conditioned. . . and (b) be effectively fertilized;
4. Except to the extent that surface crusting is reduced, erosion in some degree controlled, and emergence of germinating plants facilitated, the surface application of industry products on uncultivated or untilled soil, . . . is sufficient to "condition" the soil.

Corporations, organizations, or other groups interested in soil conditioners can obtain copies of the proposed rules from the FTC.

FDA Frees Antibiotics for Agriculture

An interpretive regulation from the Food and Drug Administration issued April 3 says that antibiotics intended for control of plant disease do not require certification by the FDA.

The regulation is in line with the previous statement by Dr. Welch, director of antibiotics for the FDA. (AG AND FOOD, March 17, 1954)

The regulation says that antibiotics or preparations containing antibiotics will not be subject to the drug labeling provisions of the Federal Food, Drug and Cosmetic Act, if the preparations are conspicuously labeled to indicate that they are for agricultural use. The preparations must also contain a suitable denaturant to make them unsuitable for human drug use.

The exemption does not apply if the preparation is represented or intended to be administered to man or animals for the cure of disease or as an animal feed supplement.

Herbicide Regulations In Oregon

An Agricultural Chemical Control Act was passed by the Oregon Legislature in 1951. The act required licensing and regulation of all operators, both ground and air, for the application of agricultural chemicals.

The 1951 act was challenged and ruled unconstitutional by the Supreme Court. The Court held that authority had been granted to the local control committees on too broad a basis.

The present herbicide control act was passed by the 1953 Legislature. The law requires licensing of applicators, both ground and air. In addition the law carries a financial responsibility clause for air applicators applying 2,4-D, 2,4,5-T, and MCP.

Under provisions of these regulations the use of hormone type herbicides is prohibited in protected areas; however, amine type herbicides can be used in restricted areas, if applied by ground rigs.

The herbicide regulations are administered by local committees consisting of 3 elected members and 2 members appointed by the state Department of Agriculture.

This will be the first year of operation for the new rules and officials of the state Department of Agriculture say they believe that these regulations will be effective in preventing crop damage due to herbicide drift.

FERTI-LIQUID
Trade Mark "Reg." Patent Applied For

The All-Purpose
LIQUID FERTILIZER

. . . an ultra-modern, balanced fertilizer
using water as the carrying medium.
Complete with wetting agent.

FERTI-LIQUID is heavily fortified with all
the needed NUTRIENTS and enriched
with essential TRACE ELEMENTS.

Superior for

- SEED TREATING
- TRANSPLANTING
- LEAF FEEDING

Competitively priced to
retail at

\$2.95 per Gallon **99¢** per Quart

Agent and Jobber Inquiries invited

CLOVER CHEMICAL CO.
P. O. Box 10865
Pittsburgh 36, Penna.