

2 **ESSB 5866** - H COMM AMD

3 By Committee on Agriculture & Ecology

4 ADOPTED AS AMENDED 4/14/99

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 15.54.325 and 1998 c 36 s 4 are each amended to read
8 as follows:

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

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

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

23 (a) The product name;

24 (b) The brand and grade;

25 (c) The guaranteed analysis;

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

27 (e) Labels for each product being registered;

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

31 ~~(g) ((Identification of the fertilizer components in the commercial
32 fertilizer product and verification that all the components are
33 registered. If any of the components are not registered, then the
34 application must include))~~ The concentration of each metal, for which
35 standards are established under RCW 15.54.800, in each ((fertilizer
36 component, for which standards are established under RCW 15.54.800))

1 product being registered, unless the product is (i) anhydrous ammonia
2 or a solution derived solely from dissolving anhydrous ammonia in
3 water, (ii) a customer-formula fertilizer containing only registered
4 commercial fertilizers, or (iii) a packaged commercial fertilizer whose
5 plant nutrient content is present in the form of a single chemical
6 compound which is registered in compliance with this chapter and the
7 product is not blended with any other material. The provisions of
8 (g)(i) of this subsection do not apply if the anhydrous ammonia is
9 derived in whole or in part from waste such that the fertilizer is a
10 "waste-derived fertilizer" as defined in RCW 15.54.270. Verification
11 of a registration relied on by an applicant under (g)(iii) of this
12 subsection must be submitted with the application;

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

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

18 (4) If an application for renewal of the product registration
19 provided for in this section is not filed prior to July 1st of any one
20 year, a penalty of ten dollars per product shall be assessed and added
21 to the original fee and shall be paid by the applicant before the
22 renewal registration shall be issued. The assessment of this late
23 collection fee shall not prevent the department from taking any other
24 action as provided for in this chapter. The penalty shall not apply if
25 the applicant furnishes an affidavit that he or she has not distributed
26 this commercial fertilizer subsequent to the expiration of his or her
27 prior registration.

28 NEW SECTION. Sec. 2. This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of the
30 state government and its existing public institutions, and takes effect
31 July 1, 1999."

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