

2 **SSB 5208** - S AMD - 169

3 By Senators Fraser, Rasmussen, Morton and Swecker

4 ADOPTED 3/12/99

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

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

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

12 (a) The net weight;

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

15 (c) The guaranteed analysis;

16 (d) The name and address of the registrant or licensee. The name
17 and address of the manufacturer, if different from the registrant or
18 licensee, may also be stated;

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

20 (f) (i) For products labeled by July 1, 1999, at a minimum, the
21 following labeling statement: ((~~"This product has been registered with~~
22 the Washington State Department of Agriculture. When applied as
23 directed, this fertilizer meets the Washington standards for arsenic,
24 cadmium, cobalt, mercury, molybdenum, lead, nickel, selenium, and zinc.
25 You have the right to receive specific information about Washington
26 standards from the distributor of this product.");

27 (g) After July 1, 1999, the label must also state:)) "Information
28 received by the Washington State Department of Agriculture regarding
29 the components in this product is available on the internet at
30 [http://www.wa.gov/agr/\(\(-\)\)](http://www.wa.gov/agr/((-)))";

31 (ii) For products not labeled by July 1, 1999, and for all products
32 after July 1, 2000, at a minimum, the following statement:
33 "Information regarding the levels of metals in this product is
34 available on the internet at <http://www.wa.gov/agr/>;" and

35 ((~~h~~)) (g) Other information as required by the department by
36 rule.

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

5 (3) Each delivery of a customer-formula fertilizer shall be subject
6 to containing those ingredients specified by the purchaser, which
7 ingredients shall be shown on the statement or invoice with the amount
8 contained therein, and a record of all invoices of customer-formula
9 grade mixes shall be kept by the registrant or licensee for a period of
10 twelve months and shall be available to the department upon request:
11 PROVIDED, That each such delivery shall be accompanied by either a
12 statement, invoice, a delivery slip, or a label if bagged, containing
13 the following information: The net weight; the brand; the guaranteed
14 analysis which may be stated to the nearest tenth of a percent or to
15 the next lower whole number; the name and address of the registrant or
16 licensee, or manufacturer, or both; and the name and address of the
17 purchaser.

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

21 NEW SECTION. **Sec. 2.** By January 1, 2000, the department of
22 agriculture shall establish guidelines recommending the size of the
23 type for the label requirement in RCW 15.54.340(1)(f).

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 15.54 RCW
25 to read as follows:

26 Specialty fertilizers are exempt from the labeling requirements in
27 RCW 15.54.340(1)(f) if there is a label setting forth in clearly
28 legible and conspicuous form the registrant's or licensee's website
29 placed on or affixed to the package. In order to qualify for this
30 exemption, the website must also have a hypertext link to
31 <http://www.wa.gov/agr> and contain a statement that information on the
32 metal content of the product is available on that website.

33 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of the
35 state government and its existing public institutions, and takes effect
36 July 1, 1999."

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4 On page 1, line 1 of the title, after "to" strike the remainder of
5 the title and insert "fertilizer labeling language; amending RCW
6 15.54.340; adding a new section to chapter 15.54 RCW; creating a new
7 section; providing an effective date; and declaring an emergency."

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