

# SENATE BILL REPORT

## ESHB 2095

---

---

As Reported By Senate Committee On:  
Agriculture & Rural Economic Development, April 2, 1999

**Title:** An act relating to registration fees, stop sale and use, seizure, and disposal of commercial fertilizer.

**Brief Description:** Regulating commercial fertilizer.

**Sponsors:** House Committee on Agriculture & Ecology (originally sponsored by Representatives G. Chandler, Linville, Koster, Grant, B. Chandler, Anderson and Sump).

**Brief History:**

**Committee Activity:** Agriculture & Rural Economic Development: 3/31/99, 4/2/99 [DP].

---

---

### SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

**Majority Report:** Do pass.

Signed by Senators Rasmussen, Chair; T. Sheldon, Vice Chair; Gardner, Honeyford, Morton, Stevens and Swecker.

**Staff:** David Johnson (786-7754)

**Background:** Enacted last year, the Fertilizer Regulation Act established comprehensive regulation of fertilizer content. However, it has become apparent to some that the enforcement provisions of the act hamper the Department of Agriculture's efforts to act quickly and efficiently. Also, the complexity of the registration process has slowed processing by the department.

**Summary of Bill:** The department may issue statewide orders to immediately stop use or distribution of fertilizers that are not registered in the state or fail to meet metal standards. Such fertilizer may be seized upon order of a court. Those responsible for noncompliant fertilizers must bear the costs of stop sale, stop use, or withdrawal from distribution actions. Those responsible for noncompliant fertilizers, except for consumers and transporters of the fertilizer, must bear the costs of disposal.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 1999.

**Testimony For:** This bill gives the Department of Agriculture additional measures that it can take to enforce the fertilizer law effectively. The bill's language is fairer to both sides.

**Testimony Against:** What constitutes a lot— of fertilizer should be defined, and the definition should not be all of the product in the state.

**Testified:** Mary Beth Lang, Dept. of Agriculture (pro); Dan Coyne, FarWest (pro); Vince Snyder, Scotts (con); Bill Bush, Schultz Company (con).