
HOUSE BILL 2097

State of Washington

56th Legislature

1999 Regular Session

By Representatives G. Chandler and Linville

Read first time 02/15/1999. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to registration fees and registration intervals for
2 commercial fertilizer; and amending RCW 15.54.325 and 15.54.330.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 15.54.325 and 1998 c 36 s 4 are each amended to read
5 as follows:

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

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

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

- 1 (a) The product name;
- 2 (b) The brand and grade;
- 3 (c) The guaranteed analysis;
- 4 (d) Name, address, and phone number of the registrant;
- 5 (e) Labels for each product being registered;
- 6 (f) Identification of those products that are (i) waste-derived
7 fertilizers, (ii) micronutrient fertilizers, or (iii) fertilizer
8 materials containing phosphate;
- 9 (g) Identification of the fertilizer components in the commercial
10 fertilizer product and verification that all the components are
11 registered. If any of the components are not registered, then the
12 application must include the concentration of each metal in each
13 fertilizer component, for which standards are established under RCW
14 15.54.800;
- 15 (h) Waste-derived fertilizers and micronutrient fertilizers shall
16 include at a minimum, information to ensure the product complies with
17 chapter 70.105 RCW and the resource conservation and recovery act, 42
18 U.S.C. Sec. 6901 et seq.; and
- 19 (i) Any other information required by the department by rule.

20 (4) A registration expires on June 30th of the second year
21 following registration. If an application for renewal of the product
22 registration provided for in this section is not filed prior to (~~July~~
23 ~~1st of any one year~~) the day following the expiration of the
24 registration, a penalty of ten dollars per product shall be assessed
25 and added to the original fee and shall be paid by the applicant before
26 the renewal registration shall be issued. The assessment of this late
27 collection fee shall not prevent the department from taking any other
28 action as provided for in this chapter. The penalty shall not apply if
29 the applicant furnishes an affidavit that he or she has not distributed
30 this commercial fertilizer subsequent to the expiration of his or her
31 prior registration.

32 **Sec. 2.** RCW 15.54.330 and 1998 c 36 s 5 are each amended to read
33 as follows:

34 (1) The department shall examine the commercial fertilizer product
35 registration application form and labels for conformance with the
36 requirements of this chapter. If the application and appropriate
37 labels are in proper form and contain the required information, the
38 particular commercial fertilizer products shall be registered by the

1 department and a certificate of registration shall be issued to the
2 applicant. ((All registrations expire June 30th of each year.))

3 (2) In reviewing the commercial fertilizer product registration
4 application, the department may consider experimental data,
5 manufacturers' evaluations, data from agricultural experiment stations,
6 product review evaluations, or other authoritative sources to
7 substantiate labeling claims. The data shall be from statistically
8 designed and analyzed trials representative of the soil, crops, and
9 climatic conditions found in the northwestern area of the United
10 States.

11 (3) In determining whether approval of a labeling statement or
12 guarantee of an ingredient is appropriate, the department may require
13 the submission of a written statement describing the methodology of
14 laboratory analysis utilized, the source of the ingredient material,
15 and any reference material relied upon to support the label statement
16 or guarantee of ingredient.

17 (4) Before registering a waste-derived fertilizer or micronutrient
18 fertilizer, the department shall obtain written approval from the
19 department of ecology as provided in RCW ((15.54.800)) 15.54.820. Once
20 a waste-derived fertilizer or micronutrient fertilizer has been
21 approved by the department of ecology, its subsequent use in another
22 product during that registration cycle shall not require department of
23 ecology review. This subsection shall apply to new and renewal
24 registration applications for periods beginning July 1, 1999, and
25 thereafter.

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