
ENGROSSED SUBSTITUTE SENATE BILL 5208

State of Washington 56th Legislature 1999 Regular Session

By Senate Committee on Environmental Quality & Water Resources
(originally sponsored by Senators Rasmussen, Stevens, T. Sheldon and
Morton)

Read first time 03/03/99.

1 AN ACT Relating to fertilizer labeling language; amending RCW
2 15.54.340; adding a new section to chapter 15.54 RCW; creating a new
3 section; providing an effective date; and declaring an emergency.

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

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

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

10 (a) The net weight;

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

13 (c) The guaranteed analysis;

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

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

18 (f) (i) For products labeled by July 1, 1999, at a minimum, the
19 following labeling statement: (~~"This product has been registered with~~

1 the Washington State Department of Agriculture. When applied as
2 directed, this fertilizer meets the Washington standards for arsenic,
3 cadmium, cobalt, mercury, molybdenum, lead, nickel, selenium, and zinc.
4 You have the right to receive specific information about Washington
5 standards from the distributor of this product.";

6 (~~g~~) After July 1, 1999, the label must also state:)) "Information
7 received by the Washington State Department of Agriculture regarding
8 the components in this product is available on the internet at
9

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

14 (~~(h)~~) (~~g~~) Other information as required by the department by
15 rule.

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

20 (3) Each delivery of a customer-formula fertilizer shall be subject
21 to containing those ingredients specified by the purchaser, which
22 ingredients shall be shown on the statement or invoice with the amount
23 contained therein, and a record of all invoices of customer-formula
24 grade mixes shall be kept by the registrant or licensee for a period of
25 twelve months and shall be available to the department upon request:
26 PROVIDED, That each such delivery shall be accompanied by either a
27 statement, invoice, a delivery slip, or a label if bagged, containing
28 the following information: The net weight; the brand; the guaranteed
29 analysis which may be stated to the nearest tenth of a percent or to
30 the next lower whole number; the name and address of the registrant or
31 licensee, or manufacturer, or both; and the name and address of the
32 purchaser.

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

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

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

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

10 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of the
12 state government and its existing public institutions, and takes effect
13 July 1, 1999.

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