

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5866**

56th Legislature  
1999 Regular Session

Passed by the Senate April 22, 1999  
YEAS 46 NAYS 0

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**President of the Senate**

Passed by the House April 14, 1999  
YEAS 75 NAYS 22

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**Speaker of the  
House of Representatives**

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5866** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE SENATE BILL 5866

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AS AMENDED BY THE HOUSE

Passed Legislature - 1999 Regular Session

State of Washington                      56th Legislature                      1999 Regular Session

By Senate Committee on Environmental Quality & Water Resources  
(originally sponsored by Senators Fraser, Prentice, Kline and  
Kohl-Welles; by request of Department of Agriculture)

Read first time 03/03/99.

1            AN ACT Relating to eliminating component registration of fertilizer  
2 products; amending RCW 15.54.325; providing an effective date; and  
3 declaring an emergency.

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

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

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

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

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

2 (a) The product name;

3 (b) The brand and grade;

4 (c) The guaranteed analysis;

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

6 (e) Labels for each product being registered;

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

10 ~~(g) ((Identification of the fertilizer components in the commercial  
11 fertilizer product and verification that all the components are  
12 registered. If any of the components are not registered, then the  
13 application must include))~~ The concentration of each metal, for which  
14 standards are established under RCW 15.54.800, in each ((fertilizer  
15 component, for which standards are established under RCW 15.54.800))  
16 product being registered, unless the product is (i) anhydrous ammonia  
17 or a solution derived solely from dissolving anhydrous ammonia in  
18 water, (ii) a customer-formula fertilizer containing only registered  
19 commercial fertilizers, or (iii) a packaged commercial fertilizer whose  
20 plant nutrient content is present in the form of a single chemical  
21 compound which is registered in compliance with this chapter and the  
22 product is not blended with any other material. The provisions of  
23 (g)(i) of this subsection do not apply if the anhydrous ammonia is  
24 derived in whole or in part from waste such that the fertilizer is a  
25 "waste-derived fertilizer" as defined in RCW 15.54.270. Verification  
26 of a registration relied on by an applicant under (g)(iii) of this  
27 subsection must be submitted with the application;

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

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

33 (4) If an application for renewal of the product registration  
34 provided for in this section is not filed prior to July 1st of any one  
35 year, a penalty of ten dollars per product shall be assessed and added  
36 to the original fee and shall be paid by the applicant before the  
37 renewal registration shall be issued. The assessment of this late  
38 collection fee shall not prevent the department from taking any other  
39 action as provided for in this chapter. The penalty shall not apply if

1 the applicant furnishes an affidavit that he or she has not distributed  
2 this commercial fertilizer subsequent to the expiration of his or her  
3 prior registration.

4 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
5 preservation of the public peace, health, or safety, or support of the  
6 state government and its existing public institutions, and takes effect  
7 July 1, 1999.

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