
**Rural Development, Agriculture &
Natural Resources Committee**

SSB 5318

Brief Description: Concerning fertilizer fees.

Sponsors: Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Senator Warnick; by request of Department of Agriculture).

Brief Summary of Substitute Bill

- Increases fees related to fertilizer registration, licensing, and inspection.

Hearing Date: 3/19/21

Staff: Rebecca Lewis (786-7339).

Background:

The Department of Agriculture (WSDA) requires commercial fertilizer to be registered by producers, importers, or packagers before distribution. Any commercial fertilizer distributed in Washington must be clearly labeled. Bulk fertilizer does not require registration if all commercial fertilizer products in the final product are already registered. Applications for registration include a \$25 fee per location. Bulk commercial fertilizer must be distributed with a written or printed statement supplied to the purchaser at the time of delivery.

Registrants or licensees distributing commercial fertilizer must file semiannual reports with the WSDA stating the net tons of each commercial fertilizer distributed in Washington. Individuals responsible for paying inspection fees must include the fees with the report. Registrants or licensees distributing less than 83 tons of commercial fertilizer, less than 167 tons of commercial lime, or an equivalent combination of the two, must pay a minimum fee of \$25. The WSDA maintains a publicly accessible database of fertilizer registration information and reports

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biennially to the Legislature on levels of nonnutritive substances in fertilizers.

Summary of Substitute Bill:

The annual license fee for a person who distributes bulk fertilizer is increased from \$25 to \$50 for each location, whether in-state or out-of-state, that distributed bulk fertilizer in Washington. The \$25 delinquency fee is increased to \$50. The application fee for a new registration is increased from \$50 to \$150 per product, a renewal fee is set at \$120 per product, and the late fee is increased from \$10 to \$50.

Registrants or licensees distributing less than 143 tons, rather than 83, of commercial fertilizer, less than 250 tons, rather than 167, of commercial lime, or an equivalent combination of the two, must pay a minimum fee of \$50 rather than \$25. Commercial fertilizer inspection fees are increased from \$0.15 to \$0.20 per ton of lime and from \$0.30 to \$0.35 per ton of all other commercial fertilizer. If the semiannual or annual report indicates that zero tons of commercial fertilizer were distributed during the reporting period, the person responsible for completing the report must pay a filing fee of \$12.50 for a semiannual report or \$25 for an annual report. The late fee is increased from \$25 to \$50. If the appropriate inspection fees are not received by the due date the late fee is equal to 10 percent of the inspection fee owed or \$50, rather than \$25, whichever is greater.

The provisions providing that penalties and late fees do not apply if the applicant furnishes an affidavit that the applicant has not distributed this commercial fertilizer since the expiration date of the applicant's prior license are removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.