

MAINE STATE LEGISLATURE

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SIXTY-FIRST LEGISLATURE.

SENATE.

No. 86.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-THREE.

AN ACT to regulate the importation, manufacture
and sale of fertilizers.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows :*

SECTION 1. Every lot or parcel of commercial
2 fertilizer sold, offered or exposed for sale within
3 this state, shall be accompanied by a printed label,
4 which shall state clearly the composition of the
5 same, as follows; to wit: In the case of all fertil-
6 izers which are sold at more than twelve dollars
7 per ton, and which contain nitrogen, potassium, or
8 phosphorus, the said label shall give the percentage
9 of anhydrous potassium acid, or its equivalent of
10 potassium, and of phosphoric acid, or anhydrous

11 phosphoric acid, in any form or combination solu-
12 ble in distilled water, and the percentage of nitro-
13 gen in the fertilizer which it accompanies; in the
14 case of those fertilizers which consist of other and
15 cheaper materials, the said label shall give a cor-
16 rect general statement of the composition and in-
17 gredients of the fertilizer it accompanies.

SECT. 2. Every importer of commercial fertil-
2 izers, as specified in section one, before offering the
3 same for sale in this state, shall procure a license
4 as an importer of the same, and shall pay into the
5 treasury of this state the sum of fifty dollars an-
6 nually, as a license fee; and shall at the same time
7 file with the secretary of the state board of agri-
8 culture, a paper giving the names of his principal
9 agents, and also the name and composition of the
10 fertilizer or fertilizers manufactured or imported by
11 him. Such license shall entitle the person to whom
12 it is issued to sell and offer for sale only one dis-
13 tinct kind of fertilizer; but such person shall be
14 entitled to sell any other kind of fertilizer upon
15 the payment into the treasury of this state an ad-
16 ditional license fee of fifteen dollars for each such
17 additional kind.

SECT. 3. Any person selling, offering or exposing for sale any commercial fertilizer without the statement required by the first section of this act or with a label stating that said fertilizer contains a larger percentage of any one or more of the constituents mentioned in said section than is contained therein, or respecting the sale of which all the provisions of section two have not been fully complied with shall forfeit fifty dollars for the first offence and a hundred dollars for each subsequent offence.

SECT. 4. The assayer of the state board of agriculture shall be ex-officio a member of said board and state inspector of fertilizers. It shall be the duty of said inspector annually to analyze one or more specimens of every kind of commercial fertilizer coming within the provisions of this act which may be offered for sale within this state, and of the existence of which he shall be informed by the secretary of the state board of agriculture; and for this purpose he is authorized and directed to take from any package or packages of said fertilizers which may be in the possession of any dealer a sample not exceeding one pound in weight. He shall report annually to the state board of agri-

15 culture the result of his inspection and the analysis
16 made by him and furnish the secretary of said
17 board such important information in regard to
18 commercial fertilizers as he shall from time to time
19 obtain.

SECT. 5. The fee of the state inspector of fertil-
2 izers shall be fifteen dollars for each analysis made
3 by him or under his direction, and travelling ex-
4 penses to be paid from the treasury of the state on
5 certificate of the state board of agriculture; *pro-*
6 *vided*, that no larger sum shall be paid for such
7 services each year than is paid into the treasury of
8 the state for license fees as provided in section two.

SECT. 6. It shall be the duty of said inspector
2 upon ascertaining any violation of this act to forth-
3 with inform the manufacturer and the secretary of
4 the state board of agriculture in writing thereof;
5 and it shall be the duty of said secretary to im-
6 mediately institute proceedings against all parties
7 violating this act.

SECT. 7. The license required by section two
2 shall be issued by the secretary of state.

SECT. 8. Any act or parts of acts inconsistent
2 with this act is hereby repealed.

SECT. 9. This act shall take effect when ap-
2 proved.

STATE OF MAINE.

In SENATE, March 9, 1883.

On motion of Mr. LEBROKE of Piscataquis, laid on the table
to be printed.

C. W. TILDEN, *Secretary*.