

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 484

S. P. 283

In Senate, February 9, 1949

Referred to the Committee on Agriculture, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Brewer of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to the Minor Elements in Fertilizer.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 27, § 158, amended. The 3rd paragraph of section 158 of chapter 27 of the revised statutes is hereby amended to read as follows:

“The term “commercial fertilizer” as used herein shall be held to include all materials used for fertilizing purposes, ~~the price of which exceeds \$10 a ton~~ except unprocessed animal manure.”

Sec. 2. R. S., c. 27, § 162, repealed and replaced. Section 162 of chapter 27 of the revised statutes is hereby repealed and the following enacted and replaced thereof:

“**Sec. 162. Registration of commercial fertilizers.** Any person who shall manufacture, sell, distribute, transport, offer or expose for sale, distribution or transportation in the state any commercial fertilizer shall before so doing file with the commissioner for each and every fertilizer bearing a distinguishing name or trademark a statement containing the following:

- I. The name, brand or trademark under which the fertilizer is sold;
- II. The name and principal address of the manufacturer or importer;

III. A chemical analysis stating the minimum percentage of nitrogen, available as plant food, present as nitrates, as ammonium salts or as organic nitrogen; of potash soluble in water, of phosphoric acid in available form and the minimum percentage of magnesium soluble in water and/or total magnesium, the constituents to be determined by the methods adopted by the association of official agricultural chemists;

IV. If claim is made for the presence of any plant food in addition to nitrogen, phosphoric acid, potash and magnesium, the following information shall also be given:

A. the amount of the plant food, expressed as the element in percent, both minimum and maximum; in case of a content of an element in amount less than 0.05 percent, however, this content shall be expressed as a Trace;

B. the major fertilizer material or materials used to supply the element. Said certified statement shall be accompanied when said commissioner shall so request with a sealed package containing not less than 2 pounds of the commercial fertilizer. The person who shall file said certificate shall pay annually to the commissioner a registration fee as follows: \$14 each for the nitrogen and the phosphoric acid, and \$7 each for the potash and magnesium contained or said to be contained in the fertilizer, this fee to be assessed on any brand offered for sale, distribution or transportation in the state. Whenever any person shall have filed said certificate and paid said registration fee, no other person shall be required to file such statement or pay such fee.'

Sec. 3. R. S., c. 27, § 164, repealed and replaced. Section 164 of chapter 27 of the revised statutes is hereby repealed and the following enacted and replaced thereof:

'Sec. 164. Markings of packages of commercial fertilizer. Every lot or package of commercial fertilizer, which is manufactured, sold, distributed, transported, offered or exposed for sale, distribution or transportation in the state by any person shall have affixed, in a conspicuous place on the outside thereof, a plainly printed statement clearly and truly giving the number of net pounds in the package, together with all other information specified in section 162. In case a commercial fertilizer contains plant foods or other compounds which may cause injury to plant growth unless special precautions are taken, these precautions shall be clearly stated on the container. If the fertilizer is sold in bulk or put up in containers furnished by

the purchaser, the seller shall, upon request of the purchaser, furnish the latter with a copy of the statements named in this section.'

Sec. 4. R. S., c. 27, § 168, amended. Paragraph B of subsection III of section 168 of chapter 27 of the revised statutes is hereby amended to read as follows:

'B. If it contains any material in sufficient amount to be deleterious to growing plants.'