
By: **Delegates Sossi, Smigiel, and Walkup**
 Introduced and read first time: February 11, 2005
 Assigned to: Environmental Matters

Committee Report: Favorable with amendments
 House action: Adopted
 Read second time: March 21, 2005

CHAPTER _____

1 AN ACT concerning

2 **Agriculture - Commercial Fertilizer - Required Signage at Retail Outlets**

3 FOR the purpose of ~~requiring the label on each brand and grade of commercial~~
 4 ~~fertilizer to bear a statement advising customers of certain damaging effects of~~
 5 ~~fertilizer overuse and recommending receipt of a certain chemical analysis~~
 6 ~~before using commercial fertilizer;~~ requiring retail outlets distributing
 7 commercial fertilizer in bags weighing a certain amount or more to display a
 8 certain sign advising customers of certain damaging effects of fertilizer overuse
 9 and recommending receipt of a certain chemical analysis before using
 10 commercial fertilizer; requiring the Department to develop and distribute a
 11 certain sign to certain retailers; and generally relating to required signage at
 12 certain retail outlets distributing commercial fertilizer.

13 ~~BY repealing and reenacting, with amendments,~~
 14 ~~Article - Agriculture~~
 15 ~~Section 6-210(a)~~
 16 ~~Annotated Code of Maryland~~
 17 ~~(1999 Replacement Volume and 2004 Supplement)~~

18 BY adding to
 19 Article - Agriculture
 20 Section 6-210.1
 21 Annotated Code of Maryland
 22 (1999 Replacement Volume and 2004 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 24 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Agriculture

2 ~~6-210.~~

3 (a) Each brand and grade of commercial fertilizer distributed in the State
4 shall be accompanied by a legible label bearing the following information:

5 (1) The net weight;

6 (2) The brand and grade under which the commercial fertilizer is
7 distributed;

8 (3) The guaranteed analysis giving the minimum percentage of every
9 plant nutrient claimed to be contained in the fertilizer; [and]

10 (4) Name and address of manufacturer; AND

11 (5) A STATEMENT ADVISING CUSTOMERS THAT:

12 (I) ~~OVERUSE OF COMMERCIAL FERTILIZER DAMAGES STATE~~
13 ~~WATERS, INCLUDING THE CHESAPEAKE BAY; AND~~

14 (II) ~~CUSTOMERS CONCERNED WITH PROTECTING AND RESTORING~~
15 ~~THE HEALTH OF THE CHESAPEAKE BAY AND OTHER STATE WATERS SHOULD,~~
16 ~~BEFORE USING A COMMERCIAL FERTILIZER, RECEIVE A CHEMICAL ANALYSIS OF THE~~
17 ~~SOIL TO BE FERTILIZED FROM A LABORATORY UNDER OR RECOMMENDED BY THE~~
18 ~~MARYLAND COOPERATIVE EXTENSION SERVICE.~~

19 6-210.1.

20 (A) ANY RETAIL OUTLET DISTRIBUTING COMMERCIAL FERTILIZER IN BAGS
21 WEIGHING 50 POUNDS OR MORE SHALL HAVE DISPLAYED PROMINENTLY A SIGN
22 ADVISING CUSTOMERS THAT:

23 (1) OVERUSE OF COMMERCIAL FERTILIZER DAMAGES STATE WATERS,
24 INCLUDING THE CHESAPEAKE BAY; AND

25 (2) CUSTOMERS CONCERNED WITH PROTECTING AND RESTORING THE
26 HEALTH OF THE CHESAPEAKE BAY AND OTHER STATE WATERS SHOULD, BEFORE
27 USING A COMMERCIAL FERTILIZER, RECEIVE A CHEMICAL ANALYSIS OF THE SOIL TO
28 BE FERTILIZED FROM A SOIL-TESTING LABORATORY UNDER OR RECOMMENDED BY
29 THE MARYLAND COOPERATIVE EXTENSION SERVICE.

30 (B) THE DEPARTMENT SHALL DEVELOP AND MAKE AVAILABLE AT NO COST
31 TO AN AFFECTED RETAILER A SIGN THAT MEETS THE REQUIREMENTS OF
32 SUBSECTION (A) OF THIS SECTION.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
34 effect October 1, 2005.

