

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 654

Short Title: Fertilizer Storage Rules.

(Public)

Sponsors: Senators Parnell and Speed.

Referred to: Agriculture, Marine Resources and Wildlife.

April 16, 1991

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES
FOR THE STORAGE OF FERTILIZER MATERIALS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-673 reads as rewritten:

"§ 106-673. Authority of Board of Agriculture to make rules and regulations.

Because legislation with regard to commercial fertilizer sold or offered for sale in this State must be adopted [adapted] to complex conditions and standards involving numerous details with which the General Assembly cannot deal directly and in order to effectuate the purposes and policies of this Article, and in order to insure the manufacturer, distributor, and consumer of the correct quality and quantity of all commercial fertilizer sold or offered for sale in this State, the Board of Agriculture shall have the authority to make rules and regulations with respect to

- (1) The maximum chlorine guarantee permitted for tobacco fertilizer;
- (2) The maximum chlorine guarantee permitted in tobacco top dressers;
- (3) Which grades of fertilizer may be branded top dressers;
- (4) The labeling of the grade of fertilizer when such fertilizer is sold in plain or unbranded bags;
- (5) The labeling requirements for all containers of liquid commercial fertilizer for direct application to the soil;
- (6) The bag sizes which may be used in the sale of commercial fertilizer;
- (7) The labeling requirements for packages containing a combination of any nonfertilizer material and mixed tobacco fertilizer;

- 1 (8) Registration and labeling requirements for grades and brands of
2 fertilizer carrying any guarantee of boron; the tolerance allowances for
3 the percentage of boron in fertilizer mixtures;
- 4 (9) The required composition for boron-landplaster mixtures before they
5 may be registered and sold for use on peanuts in this State; the labeling
6 requirements for each container of such mixture;
- 7 (10) The monetary penalties assessed for excesses or deficiencies of boron
8 and all other minor elements above or below the tolerances allowed;
- 9 (11) The registration and labeling of general crop grades and tobacco
10 grades;
- 11 (12) The method, and the time limitations for the reporting to the
12 Commissioner of Agriculture of the tonnage of each grade of fertilizer
13 shipped to each destination in the State by each manufacturer or firm
14 having fertilizer registered in this State;
- 15 (13) The required composition, before such mixtures may be registered and
16 sold in this State, of fertilizer-pesticide, landplaster-pesticide, and
17 fertilizer-landplaster-pesticide, when to be used for peanuts alone;
- 18 (14) The labeling and bag requirements of fertilizer-landplaster- pesticide
19 mixtures;
- 20 (15) The standards and requirements which must be met before fertilizer-
21 pesticide mixtures may be registered in this State. These requirements
22 may include, but are not limited to, approval in North Carolina of both
23 the pesticide and the fertilizer grades, approval of the mixture by the
24 Board of Agriculture, and any labeling requirements;
- 25 (16) The standards and requirements which must be complied with before
26 fertilizers-pesticides may, without registering the mixture, be mixed
27 for direct application at the farmer's request;
- 28 (17) Requests for mixing any pesticide with fertilizer, for products not
29 previously approved by the Board of Agriculture;
- 30 (18) Packaging requirements for fertilizer-pesticide mixtures sold either in
31 bulk or in bags, such that dusting, spillage, sifting, or a loss of any
32 fertilizer-pesticide mixture will not occur;
- 33 (19) The percentages of nitrogen required to be in nitrogen solutions, before
34 such solutions may be registered and sold in this State;
- 35 (20) The labeling of fertilizer products to ascertain their compliance to the
36 Fertilizer or Lime and Landplaster Law;
- 37 (21) Requesting substantiating data to back up claims made about a
38 fertilizer product; registration may be denied if such data is not
39 furnished;
- 40 (22) The denial of approval of the registration of fertilizer products when
41 such products will not, when used as directed, supply deficient needs
42 of a plant;
- 43 (23) Safety requirements for the movement, handling and storage of fluid
44 fertilizers;

- 1 (24) Standards and requirements for equipment and tanks for handling
2 liquid fertilizer;
- 3 (25) Refusing registration as a result of information or recommendations
4 from the director of research stations;
- 5 (26) Establishing minimum guarantees permissible for registering
6 secondary elements and ~~micro-nutrients-~~micronutrients; and
- 7 (27) Establishing minimum standards for containment of fertilizer materials
8 in storage to prevent contamination of groundwater and surface water."
- 9 Sec. 2. This act is effective upon ratification.