

CHAPTER 329

(House Bill 946)

AN ACT to repeal and re-enact, with amendments, Sections 473, 474, 475, 476, 477, 478, 480, 481, 482, 483 and 484 of Article 66C of the Annotated Code of Maryland (1970 Replacement Volume), title "Natural Resources," subtitle "Maryland Commercial Fertilizer Law of 1963," adding the terms "soil conditioner," "labeling" and "lot" and their definitions; modifying the definition of the term "label"; providing for the applicability of the term "soil conditioners" to the commercial fertilizer laws of this State; providing for the labeling of soil conditioners; providing for the assessment of a collection fee upon failure to make payment of the inspection fee; providing for penalties in the event of deficiencies in guaranteed primary plant nutrients in commercial fertilizer; amending the commercial fertilizer laws of this State in order to make certain corrections and revisions in the language and references thereof; and relating generally to the commercial fertilizer laws of this State.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 473, 474, 475, 476, 477, 478, 480, 481, 482, 483 and 484 of Article 66C of the Annotated Code of Maryland (1970 Replacement Volume), title "Natural Resources," subtitle "Maryland Commercial Fertilizer Law of 1963," be and they are hereby repealed and re-enacted, with amendments, all to read as follows :

473. Definitions.

When used in this subtitle :

(a) *Person.*—The term "person" includes individual, partnership, firm, corporation and association.

(b) *Distribute, distributor; distributee.*—The term "distribute" means to import, manufacture, produce, compound, mix, blend, barter, sell, offer for sale, consign, furnish, provide or otherwise supply commercial fertilizer or soil conditioner as part of a commercial enterprise. The term "distributor" means any person who distributes. The term "distributee" means any person to whom commercial fertilizer or soil conditioner is distributed.

(c) *Commercial fertilizer.*—The term "commercial fertilizer" means any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use or claimed to have value in promoting plant growth except: Unmanipulated animal and vegetable manures, marl, lime, wood ashes and gypsum.

(d) *Fertilizer material.*—The term "fertilizer material" means a commercial fertilizer containing one or more of the recognized plant nutrients, which is used primarily for its plant nutrient content.

(e) *Mixed fertilizer.*—The term "mixed fertilizer" means a commercial fertilizer containing any combination, blend, or mixture of fertilizer materials designed for use or claimed to have value in promoting plant growth.