

4:9-15.3

LEGISLATIVE HISTORY CHECKLIST

NJSA: 4:9-15.3 (Commercial Fertilizer and Soil Conditioner Act - amend definition of 'soil conditioner')

LAWS OF: 1983

CHAPTER: 419

Bill No: S856

Sponsor(s): Zane

Date Introduced: Pre-filed

Committee: Assembly: Agriculture and Environment

Senate: Natural Resources & Agriculture

Amended during passage: No

Date of Passage: Assembly: Dec. 6, 1983

Senate: May 10, 1982

Date of Approval: January 5, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Do Not Remove From Library  
DEFINITIVE COPY  
not attached since identical to sponsor's statement

SENATE, No. 856

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Senator ZANE

AN ACT to amend the "New Jersey Commercial Fertilizer and Soil Conditioner Act of 1970," approved May 20, 1970 (P. L. 1970, c. 66).

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 3 of P. L. 1970, c. 66 (C. 4:9-15.3) is amended to  
2 read as follows:

3 3. As used in this act:

4 (a) "Commercial fertilizer" means a fertilizer material, mixed  
5 fertilizer or any other substance containing one or more recognized  
6 plant nutrients which is used for its plant nutrient content, which  
7 is designed for use or claimed to have value in promoting plant  
8 growth, and which is sold, offered for sale, or intended for sale;  
9 except that it shall not be considered to include unmanipulated  
10 animal or vegetable manures, agricultural liming materials, or wood  
11 ashes.

12 (b) "Specialty fertilizer" means a commercial fertilizer dis-  
13 tributed primarily for nonfarm use, such as home gardens, lawns,  
14 shrubbery, flowers, golf courses, parks, cemeteries, greenhouses,  
15 and nurseries.

16 (c) "Customer formulated mix" means a commercial fertilizer  
17 prepared expressly for, and according to specifications furnished  
18 prior to mixing by, the customer.

19 (d) "Soil conditioner" means any substance intended or claimed  
20 to improve the chemical **[or]**, physical *or biological* characteristics  
21 of the soil which is sold, offered for sale, or intended for sale;  
22 except that it shall not be considered to include decomposed organic  
23 material having an ash content not exceeding 25% by dry weight,  
24 unmanipulated animal or vegetable manures, agricultural liming  
25 materials, or any other materials that may be exempted by  
26 regulation.

**EXPLANATION**—Matter enclosed in bold-faced brackets **[thus]** in the above bill  
is not enacted and is intended to be omitted in the law.

27 (e) "Brand" means a term, design, or trademark used in con-  
28 nection with a soil conditioner or with one or more grades of com-  
29 mercial fertilizer.

30 (f) "Grade" means the percentage of total nitrogen, available  
31 phosphoric acid, and soluble potash stated in whole numbers in the  
32 same terms, order, and percentages as in the guaranteed analysis;  
33 provided, however, that fertilizer materials, bone meal, and similar  
34 raw materials may be guaranteed in fractional units.

35 (g) "Guaranteed analysis" means the minimum percentage of  
36 plant nutrients claimed and set forth in the manner prescribed in  
37 subsection 10 (c) of this act.

38 (h) "Index value" means an expression of the actual analysis  
39 of a fertilizer compared to the guaranteed analysis determined  
40 according to the following formula. Multiply the total nitrogen  
41 value by 3, the available phosphoric acid value by 2, and the soluble  
42 potash value by one, and then add these figures separately for the  
43 actual analysis and for the guaranteed analysis to obtain, respec-  
44 tively, the total actual value and the total guaranteed value. The  
45 index value is obtained by dividing the total actual value by the  
46 total guaranteed value.

47 (i) "Official sample" means any sample of commercial fertilizer  
48 or soil conditioner taken by an agent of the Department of Agricul-  
49 ture and designated as "official" by the department.

50 (j) "Person" includes any individual, partnership, association,  
51 firm, or corporation.

52 (k) "Distributor" means any person who imports, consigns,  
53 manufactures, produces, compounds, mixes, or blends commercial  
54 fertilizer or soil conditioner or who offers for sale, sells, barter, or  
55 otherwise supplies such products in this State.

56 (l) "Licensee" means a person who is licensed, or is required to  
57 be licensed, to distribute commercial fertilizers or soil conditioners  
58 under the provisions of this act.

59 (m) "Manufacturing facility" means any place where a com-  
60 mercial fertilizer or soil conditioner is manufactured, produced,  
61 compounded, mixed, blended, or in any way altered chemically or  
62 physically.

63 (n) "Label" means the display of all written, printed, or graphic  
64 matter on the immediate container or a statement accompanying a  
65 commercial fertilizer or soil conditioner.

66 (o) "Labeling" means all written, printed, or graphic matter on  
67 or accompanying any commercial fertilizer or soil conditioner, or  
68 the contents of any advertisements, brochures, posters, or television  
69 or radio announcements used in promoting the sale of such com-  
70 mercial fertilizer or soil conditioner.

- 71 (p) "Ton" means a net weight of 2,000 pounds avoirdupois.  
72 (q) "Per cent" or "percentage" refers to the percentage by  
73 weight.  
74 (r) "Department" means the New Jersey Department of Agri-  
75 culture and includes the State Board of Agriculture, the Secretary  
76 of Agriculture, the State Chemist, and all employees and agents  
77 thereof.  
78 (s) "State board" means the State Board of Agriculture of New  
79 Jersey.  
80 (t) "Secretary" means the Secretary of Agriculture of New  
81 Jersey.  
82 (u) "State Chemist" means the person appointed by the State  
83 board, subject to the supervision of the secretary, for the purpose  
84 of administering this act.
- 1 2. This act shall take effect immediately.

---

#### STATEMENT

This amendment to the "Commercial Fertilizer and Soil Conditioner Act of 1970", is necessary because of the presence of new soil conditioning products (i.e. soil inoculants) on the market. Soil inoculants are intended to improve the biological as well as the chemical and physical characteristics of the soil.

This bill would clarify present law by effectively including soil inoculants in the definition of soil conditioners, thereby explicitly authorizing the Department of Agriculture to regulate such substances.

---

71 (p) "Ton" means a net weight of 2,000 pounds avoirdupois.

72 (q) "Per cent" or "percentage" refers to the percentage by  
73 weight.

74 (r) "Department" means the New Jersey Department of Agri-  
75 culture and includes the State Board of Agriculture, the Secretary  
76 of Agriculture, the State Chemist, and all employees and agents  
77 thereof.

78 (s) "State board" means the State Board of Agriculture of New  
79 Jersey.

80 (t) "Secretary" means the Secretary of Agriculture of New  
81 Jersey.

82 (u) "State Chemist" means the person appointed by the State  
83 board, subject to the supervision of the secretary, for the purpose  
84 of administering this act.

1 2. This act shall take effect immediately.

---

#### STATEMENT

This amendment to the "Commercial Fertilizer and Soil Conditioner Act of 1970", is necessary because of the presence of new soil conditioning products (i.e. soil inoculants) on the market. Soil inoculants are intended to improve the biological as well as the chemical and physical characteristics of the soil.

This bill would clarify present law by effectively including soil inoculants in the definition of soil conditioners, thereby explicitly authorizing the Department of Agriculture to regulate such substances.

---

5856(1983)

SENATE NATURAL RESOURCES AND AGRICULTURE  
COMMITTEE

STATEMENT TO

**SENATE, No. 856**

**STATE OF NEW JERSEY**

DATED: MARCH 1, 1982

This bill amends the "Commercial Fertilizer and Soil Conditioner Act of 1970". The amendment is necessary because of the presence of new soil conditioning products (i.e. soil inoculants) on the market. Soil inoculants are intended to improve the biological as well as the chemical and physical characteristics of the soil.

This bill would clarify present law by effectively including soil inoculants in the definition of soil conditioners, thereby explicitly authorizing the Department of Agriculture to regulate such substances.

---

BILLS SIGNED

PAGE THREE

JANUARY 5, 1984

S-1684, sponsored by State Senator Leonard T. Connors, Jr., R-Ocean, which appropriates \$40,000 in State aid for disaster assistance to Berkeley Township. The funds will be used to pay for costs associated with providing public protection, health and sanitation costs, as well as clean-up services made necessary by a tornado which struck the Township June 29, 1982.

S-1461/A-1557, sponsored by State Senator Donald T. DiFrancesco, R-Union, and Assemblyman Walter M. D. Kern, R-Bergen, which sets maximum bail of \$2500 for persons charged with fourth degree crimes, disorderly or petty disorderly offenses, unless the court finds the individual presents a serious threat to the physical safety of evidence or persons involved in the incident. The bill is intended to prevent crowding county jails with minor offenders who are unable to meet high bail requirements.

S-341, sponsored by State Senator Daniel J. Dalton, D-Camden, which amends the public contracts law to raise from \$500 to \$1000 the amount above which a contracting agent is required to obtain quotations of price before making purchases or contracts.

S-856, sponsored by State Senator Raymond J. Zane, D-Gloucester, which amends the definition of "soil conditioner" as used in the Commercial Fertilizer and Soil Conditioner Act of 1970 to include new soil conditioning products.