

4:9-21.3 ET AL.

LEGISLATIVE HISTORY CHECKLIST

NJSA 4:9-21.3 et al.

COPY NO. 2

Laws of 1975 Chapter 140

Bill No. A769

Sponsor(s) Littell

Date Introduced pre-filed

Committee: Assembly Agriculture & Environment

Senate Energy, Agriculture & Environment

Amended during passage Yes amendments during passage denoted by asterisks

Date of passage: Assembly Oct. 7, 1974

Senate April 21, 1975

Date of approval July 7, 1975

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly No

Senate Yes

Fiscal Note Yes

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

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10/4/76
MAY 1977

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ASSEMBLY, No. 769

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Assemblyman LITTELL

AN ACT concerning agricultural liming materials and amending
P. L. 1968, c. 392.

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

1 1. Section 3 of P. L. 1968, c. 392 (C. 4:9-21.3) is amended to
2 read as follows:

3 3. (a) Agricultural liming materials sold, offered or exposed
4 for sale in the State shall have affixed to each package in a
5 conspicuous manner on the outside thereof, a plainly printed,
6 stamped or otherwise marked label, tag or statement, or in the
7 case of bulk sales, a delivery slip, setting forth at least the follow-
8 ing information:

9 (1) The name and principal office address of the [manufacturer
10 or distributor] *licensee*.

11 (2) The brand or trade name of the material.

12 (3) The identification of the product as to the type of the
13 agricultural liming material.

14 (4) The net weight of the agricultural liming material.

15 (5) The fineness of the material, if in ground or powdered form,
16 shall be stated in accordance with rules and regulations promul-
17 gated under this act.

18 (6) a. The minimum percentage of the total oxides of calcium
19 and magnesium, b. the minimum percentage of calcium oxide
20 (CaO) and c. the minimum percentage of magnesium oxide (MgO).
21 The total oxides may exceed the sum of b. plus c.

22 (7) In the case of hydrated and burnt forms, the maximum
23 percentage of total oxides present as calcium carbonate and
24 magnesium carbonate.

25 (b) The physical classification shall appear on every package

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

26 or on the labels attached to packages. In the case of bulk shipments
27 it shall appear on the delivery slip.

28 (c) No information or statement shall appear on any package,
29 label or delivery slip which is false or misleading, to the purchaser
30 as to the quality, analysis, type or composition of the agricultural
31 liming material.

32 (d) In the case of any material which has been adulterated
33 subsequent to packaging, labeling or loading thereof and before
34 delivery to the consumer, a plainly marked notice to that effect
35 shall be affixed by the vendor to the package or delivery slip such
36 notice to identify the kind and degree of such adulteration therein.

37 (e) At every site from which agricultural liming materials
38 are delivered in bulk and at every place where consumer orders for
39 bulk deliveries are placed, there shall be conspicuously posted a
40 copy of the statement required by this section for each brand of
41 material.

1 2. Section 6 of P. L. 1968, c. 392 (C. 4:9-21.6) is amended to
2 read as follows:

3 6. **【**Before any person shall sell, offer or expose for sale in this
4 State any agricultural liming material, he shall for each separately
5 identified product file annually with the department on forms sup-
6 plied by the State board or its authorized agent an application for
7 registration of each such product setting forth the information
8 required by section 5.**】** *No person shall distribute in this State*
9 *any agricultural liming material until a license has been obtained*
10 *by the person whose labeling is applied to such agricultural liming*
11 *material from the State board or its authorized agent.*

1 3. Section 7 of P. L. 1968, c. 392 (C. 4:9-21.7) is amended to
2 read as follows:

3 7. **【**Each application filed pursuant to section 6 shall be accom-
4 panied by an annual registration fee of \$25.00 per brand. Upon
5 compliance with the provisions of the act, the registration shall
6 be approved for the period ending on December 31 of the year in
7 which it was issued. No person shall be required to register any
8 agricultural liming material for which a certificate of registration
9 has been filed by the manufacturer or other person responsible for
10 the material.**】** *The annual license fee shall be \$100.00 payable on*
11 *January 1 of each year or prior to the distribution in such year.*

1 4. Section 8 of P. L. 1968, c. 392 (C. 4:9-21.8) is amended to
2 read as follows:

3 8. Within the 30-day period following **【**June 30 and**】** December
4 31 of each year, each **【**registrant**】** *licensee* shall submit on a form

5 furnished by the State board or its authorized agent a [semi-
 6 annual] statement setting forth the number of net tons of each
 7 agricultural liming material sold by him for use in the State during
 8 the previous [6] 12-month period. Such statement shall be ac-
 9 companied by payment of the inspection fee at the rate of \$0.02
 10 per ton *for all tonnage up to 25,000 tons sold and \$0.01 for all*
 11 *tonnage in excess of 25,000 tons.* [However, no semiannual pay-
 12 ment shall exceed \$250.00.] Such reports shall be confidential and
 13 no information therein shall be disclosed in any manner that will
 14 reveal the operation of any registrant.

1 5. Section 9 of P. L. 1968, c. 392 (C. 4:9-21.9) is amended to
 2 read as follows:

3 9. The State board is hereby empowered and it shall be the duty
 4 of its agent to sample agricultural liming materials, to analyze
 5 them and to report promptly to the ****[registrant]**** ****licensee****
 6 the results of its analysis. Results shall become official and public
 7 after 10 days. The State board or its authorized agent for the
 8 purpose of taking samples *and to examine the records relating to*
 9 *the tonnage of agricultural liming materials distributed in New*
 10 *Jersey*, shall have full access during business hours to all places
 11 wherein agricultural liming materials are offered for sale *or where*
 12 *records of the tonnage distributed in New Jersey are kept.* Upon
 13 written notice, the State board or its agent may remove from sale
 14 any lot of agricultural liming material until it has been determined
 15 that the material is in full compliance with this act.

1 6. This act shall take effect ****[immediately]**** **on January 1*
 2 *next following enactment*.*

5 furnished by the State board or its authorized agent a [semi-
6 annual] statement setting forth the number of net tons of each
7 agricultural liming material sold by him for use in the State during
8 the previous [6] 12-month period. Such statement shall be ac-
9 companied by payment of the inspection fee at the rate of \$0.02
10 per ton for all tonnage up to 25,000 tons sold and \$0.01 for all
11 tonnage in excess of 25,000 tons. [However, no semiannual pay-
12 ment shall exceed \$250.00.] Such reports shall be confidential and
13 no information therein shall be disclosed in any manner that will
14 reveal the operation of any registrant.

1 5. Section 9 of P. L. 1968, c. 392 (C. 4:9-21.9) is amended to
2 read as follows:

3 9. The State board is hereby empowered and it shall be the duty
4 of its agent to sample agricultural liming materials, to analyze
5 them and to report promptly to the registrant the results of its
6 analysis. Results shall become official and public after 10 days.
7 The State board or its authorized agent for the purpose of taking
8 samples and to examine the records relating to the tonnage of
9 agricultural liming materials distributed in New Jersey, shall have
10 full access during business hours to all places wherein agricultural
11 liming materials are offered for sale or where records of the
12 tonnage distributed in New Jersey are kept. Upon written notice,
13 the State board or its agent may remove from sale any lot of
14 agricultural liming material until it has been determined that the
15 material is in full compliance with this act.

1 6. This act shall take effect immediately.

STATEMENT

This bill will enable the regulation of the liming industry to be more self-supporting. The bill has the total support of the liming industry and will enable more efficient regulation.

The registration section has been altered to provide for a \$100.00 fee per licensee regardless of the number of brands sold. Presently, the fee is \$25.00 for each brand. There are now 18 firms offering a total of 48 brands.

The inspection fee schedule has been revised by replacing the \$500.00 annual maximum payment with an open schedule of \$0.02 for each of the first 25,000 tons and \$0.01 for each ton in excess of 25,000.

Authority is provided to the State Board of Agriculture to audit distribution records.

SENATE ENERGY, AGRICULTURE AND
ENVIRONMENT COMMITTEE

STATEMENT TO
ASSEMBLY, No. 769

STATE OF NEW JERSEY

DATED: MARCH 5, 1975

Assembly Bill No. 769, Second Official Copy Reprint, amends the "New Jersey Agricultural Liming Materials Act" to require an agricultural liming material license, an annual licensing fee, and an altered annual inspection fee.

FISCAL NOTE TO
ASSEMBLY, No. 769

STATE OF NEW JERSEY

DATED: JUNE 20, 1974

The Second Official Copy Reprint of Assembly Bill No. 769 increases the registration fees for distribution of agricultural liming materials.

The Department of Agriculture estimates that enactment of this legislation would increase the revenues of the State by about \$1,000.00 per year. This estimate is based on current registrations with revised fee schedule applied.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.