

CONNECTICUT
Agricultural Experiment Station
NEW HAVEN, CONN.

BULLETIN OF INFORMATION

No. 9

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THE CONNECTICUT FERTILIZER LAW.

The following explanations relate to the fertilizer law which was passed by the General Assembly, session of 1919, and which is now in force.

The text of the law will be found on page 3.

Duties of Manufacturers.

While the law is operative only in this state, it is assumed that firms and individuals shipping fertilizers into Connecticut will register their brands and pay the required fees as they have done in the past, thus relieving all their agents and customers in Connecticut from these obligations.

Connecticut dealers should assure themselves that the brands which they handle have been registered.

Special attention is called to the provisions of the law regarding:

COTTON SEED MEAL.

Cotton seed meal is a commercial fertilizer within the meaning of the statute.

Registration; Analysis fees.

Each brand of cotton seed meal must, therefore, be registered on forms provided by this Station and an analysis fee of ten dollars paid on it before it is sold, offered or exposed for sale, and on the first day of January annually thereafter.

A distinctive name constitutes a distinct brand. If shipments have different guaranties of composition they are held to be different brands.

Branding or tagging.

Since nitrogen is the only fertilizing ingredient considered in the trade in cotton seed meal, no guaranty of phosphoric acid or potash is required. If either is guaranteed by the manufacturer, however, an additional fee of ten dollars must be paid on each element. The statement of composition now legal for feeds may be used hereafter if the percentage of nitrogen is stated.

Note that the law regarding feeding stuffs forbids the use of metal in attaching tags and requires that each package shall be branded or tagged with the statement required by law.

Duties of shippers.

It is assumed from correspondence with shippers outside the state that they will register the brands which they sell in Connecticut, will pay the analysis fees, as has been done in the past by manufacturers of commercial fertilizers, and will semi-annually thereafter pay the tonnage fees.

They will report to this Station their total sales and, if they wish, may report what part has been sold for feed exclusively. From the reports of dealers within the state it will be possible to determine quite closely the amounts of each brand actually used as feed.

In case the jobber outside the state neglects or refuses to register a brand, the dealer who sells it within the state is responsible under the law.

Dealers in Cotton Seed Meal in Connecticut

are required to file with the director of the Station on July first, 1920, and semi-annually thereafter a sworn statement of their total sales of each brand of cotton seed meal and the amount of each sold exclusively for feed, during the preceding six months.

E. H. JENKINS, *Director.*

AN ACT CONCERNING THE REGISTRATION AND SALE OF COMMERCIAL FERTILIZERS.

(Being Chapter 204 of the Public Acts of the General Assembly. Session of 1919.)

Be it enacted by the Senate and House of Representatives in General Assembly convened:

SECTION 1. All persons, companies, manufacturers, dealers or agents, before selling or offering for sale in this state any commercial fertilizer or fertilizer materials except stable manure in its original condition, shall brand or attach to each bag, barrel or package, the name and address of the manufacturer and the guaranteed analysis of the commercial fertilizer, giving the valuable constituents of the commercial fertilizer in minimum percentages only. Only these items shall be branded or attached to the package, preferably in the following order: (1) Weight of each package in pounds; (2) brand name or trademark; (3) guaranteed analysis: (a) available phosphoric acid (per centum); (b) total phosphoric acid (per centum); (c) nitrogen (per centum); (d) equivalent ammonia (per centum); (e) potash soluble in water (per centum); (4) name and address of the manufacturer or of the person who is responsible for the statements of the guarantee. In bone meal, tankage or other organic products, and also in basic slag and mineral phosphates, in which

a large percentage of the phosphoric acid is not available by laboratory methods, the phosphoric acid shall be claimed as total phosphoric acid, unless it is desired to claim available phosphoric acid instead, in which latter case the guarantee shall take the form above set forth. A statement of the inclusion of leather in its various forms, wool waste, hair or any inert nitrogenous material shall be printed on the bag, unless, by processing, the availability of the nitrogen of these materials has been rendered satisfactory as determined by the official methods of the association of official agricultural chemists. When potash is derived from sulphate or carbonate of potash, it may be so claimed in the markings on the package. No claim or guarantee for less than eighty-two hundredths of one per centum of nitrogen, or for less than one per centum of phosphoric acid, or for less than one per centum of potash shall be regarded in the registration or analysis of any commercial fertilizer.

SEC. 2. Before any commercial fertilizer is sold, offered or exposed for sale, the person who causes it to be sold, or offered for sale, within this state shall file with the director of the Connecticut agricultural experiment station, on forms to be supplied by said station, two certified copies of the statement prescribed in section one of this act, and a permit allowing the director or his deputy to examine the books of the party registering the brand or brands, in order to verify, if desired, the reports of said party as to the tonnage sold. On receipt of the aforesaid statements and on compliance with the other provisions of this act, the director of said station shall issue a certificate of registration for the fertilizer or fertilizers concerned, which shall be in force until the succeeding December thirty-first, and he shall annually publish a list of the brands so registered.

SEC. 3. For the purpose of defraying the expenses connected with the inspection of commercial fertilizers sold or offered for sale within this state, all persons offering for sale commercial fertilizers within the state shall, at the time of issuance of the certificate of registration and on January first of each year, pay to the director of the Connecticut agricultural experiment station an analysis fee of ten dollars for each fertilizing ingredient contained or claimed to exist in each of such fertilizers as they propose to sell during the year. The fertilizing ingredients on

which fees shall be paid are nitrogen, phosphoric acid and potash. On July 1, 1920, on January 1, 1921, and on the same dates annually thereafter, every person offering for sale commercial fertilizers within the state shall make a statement under oath, which shall be filed with the director of the Connecticut agricultural experiment station and which shall set forth the number of tons of two thousand pounds of each fertilizer, fertilizer material, or materials sold by him as fertilizers during the preceding six months. On July 1, 1920, and semi-annually thereafter he shall pay to the director of said station an additional fee of six cents per ton of two thousand pounds of fertilizer, fertilizer material or materials used as fertilizer sold in said state in accordance with the sworn statement required above; but when the statements and payments above prescribed have been made on any brand of fertilizer by any person, no other such statements or payments of analysis fees on said brand shall be required. Neither the director nor any of his deputies shall disclose any information contained in said tonnage statements, except in cases in which it is necessary to publish such information for the enforcement of the provisions of this act. Nothing contained in this act shall apply to fertilizers passing through the state in transit nor to the delivery of fertilizers or fertilizer materials to regular fertilizer factories to be used for manufacturing purposes, nor to fertilizers and fertilizer chemicals sold to the Connecticut agricultural experiment station if used solely for experiments for the advancement of the science of agriculture.

SEC. 4. The payments required by the provisions of section three of this act shall be paid by the director to the treasurer of said Connecticut agricultural experiment station and shall be expended in defraying the expenses of inspecting and analyzing commercial fertilizers and in preparing the results for publication, and should there be a surplus it shall be set aside as a separate fund to cover any deficiency in the income necessary to defray said expenses in subsequent years. If, at the end of five years, the amount of such surplus largely exceeds the necessary cost of inspection, it shall be the duty of the director to recommend the amendment of this act so that the income under this act will not exceed the actual cost of properly inspecting and analyzing commercial fertilizers.

SEC. 5. The director of said station shall cause one or more analyses to be made annually of all commercial fertilizers registered in the state. The director and his authorized deputies shall have power to enter any car, warehouse, store, building, boat, vessel or place supposed to contain fertilizers, for the purpose of inspecting and sampling, and shall have power to take a sample not exceeding two pounds in weight from any brand of fertilizer. The director of said station or his duly authorized representatives shall take all samples in duplicate and where possible in the presence of at least one witness, and in the presence of such witness shall seal the samples, and shall at the time of taking tender and, if accepted, deliver to the person apparently in charge one of such samples; the other sample the director of said station shall cause to be analyzed. When samples are taken from fertilizers in bags, a tube shall be used, and it shall be inserted at one end of the bag and shall pass substantially the entire length of the bag, so as to take a core of the material being sampled from substantially the entire length of the bag. Samples thus taken from individual bags shall be thoroughly mixed, and the official samples shall be taken from the mixture so drawn by the method known as "quartering." Samples of fertilizer taken as herein provided shall be taken from at least five per centum of the separate original unopened packages in the lot, for the mixture from which the official samples shall be taken. If less than one hundred bags are in the lot, at least five bags shall be sampled; if less than five bags, all shall be sampled. Broken packages shall not be sampled. In no case shall a sample be official, or one upon which legal action can be instituted, unless it shall have been taken either by a duly authorized inspector, as specified above, or in the presence of two competent disinterested witnesses who shall certify under oath that the sample was drawn exactly as required by the provisions of this act. The official methods of the association of official agricultural chemists in force at the time shall be followed in all statements of guaranties, sampling and analytical work in connection with administering the provisions hereof. The director shall issue at least one bulletin or report annually, setting forth the analyses of fertilizers made under the provisions of this act and such other information concerning the operation or violations of the law, or otherwise

pertaining to the sale, composition and agricultural value of fertilizers as he may consider expedient.

SEC. 6. The term "commercial fertilizers" shall be construed to mean any and every substance imported, manufactured, prepared or sold for fertilizing or manuring or soil amendment purposes, except barnyard manure and stable manure which have not been artificially treated or manipulated, marl and lime. Cottonseed meal, rapeseed meal, castor pomace and all other vegetable products used as fertilizers, including the ashes of cotton hulls and wood ashes, shall be included as fertilizers within the meaning of this act and separate analysis fees shall be paid on each different grade which is sold or offered for sale in the state. The person responsible for paying the fees above prescribed may deduct from the total tonnage sold such sales of cottonseed meal or other vegetable products as are made to anyone who gives a written certificate on a form supplied by the said Connecticut agricultural experiment station stating that the material bought by him was to be used exclusively for feed and not for fertilizer. Such certificate shall be filed with the director of said station with the report of tonnage sold. The term "available phosphoric acid" means the sum of the water-soluble and citric-soluble phosphoric acid determined by the methods referred to in section five of this act. The term "phosphoric acid" means phosphoric anhydride (P_2O_5), and the term "potash" means potassium oxide (K_2O).

SEC. 7. Any person who shall sell any commercial fertilizer for which the required statement of tonnage sold has not been made or without having paid the fees required by the provisions of section three, or shall have rendered any false statements, or shall not permit the director or his deputy to verify the statement of tonnage sold, or shall sell fertilizers found by the station analysis not to contain the guaranteed percentage of any one of the ingredients mentioned in the guaranteed analysis in accordance with section one of this act, or shall label any fertilizer with a false and misleading guaranty, or shall interfere in any way with the duties of the station officials in the discharge of their duties as prescribed in this act, shall be fined not more than five hundred dollars, provided nothing in this act shall be construed to prevent a person from mixing fertilizing materials for his

own use which have been sold under the provisions of this act, or to prevent manufacturers who have complied with sections one and two of this act from having in stock raw or manufactured materials. Any person who shall violate any provision of this act for which no penalty is specifically provided herein, shall be fined not less than five nor more than one hundred dollars.

SEC. 8. Sections 4764 to 4773, inclusive, and section 4776 of the general statutes are repealed.