

and food shall have the power to employ such persons as are necessary to carry out the provisions of sections 36.03 to 36.24, and to fix all salaries and provide for expenses generally not inconsistent with law. The commissioner is authorized and directed to formulate and adopt plans whereby owners of *poultry flocks and poultry breeding flocks* may, upon application, have their flocks culled, inspected, and supervised, to the end that these flocks may be accredited and certified for standard type and egg *quality and production*; and likewise, poultry hatcheries and dealers may be accredited and certified as hatching and selling *products* produced only from accredited and certified flocks. The commissioner is authorized to make, publish, and enforce rules and regulations to these ends, not inconsistent with law, and to define, prescribe, and authorize the use of uniform terminology to apply to varying degrees of accreditation and certification. The commissioner is authorized to adopt the "standard breeding plan" of accreditation and certification sponsored by the United States department of agriculture, or any other plan, and to cooperate with that department in matters of poultry improvement, *egg quality and production*. The commissioner is authorized to prescribe and collect fees for inspection and supervision, and to prescribe and furnish labels, leg bands, and certificates of accreditation and certification and such other supplies as may be necessary, and to prescribe and collect fees for the same. The commissioner is authorized to do such other things as he may deem needful and expedient to improve poultry breeding and practices and *egg quality and production* and to give effect to sections 36.03 and 36.24, *in connection with those parties who wish to comply with the act.*

Approved March 23, 1959.

CHAPTER 117—H. F. No. 544

An act relating to the registration of mixed fertilizers and fertilizer materials and inspection fees thereon; amending Minnesota Statutes 1957, Sections 17.204, 17.206, 17.208 and 17.212.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes, 1957, Section 17.204, is amended to read:

17.204 Registration of brands and grades. *Subdivision 1.* Each brand and grade of commercial fertilizer shall

be registered before being offered for sale, sold, or distributed in this state. The application for registration shall be submitted in duplicate to the commissioner on forms furnished by the commissioner, and shall be accompanied by a remittance of \$1 per brand and grade for a registration fee, except that those brands sold only in packages of 25 pounds or less shall be registered and inspected for a fee of \$25 each. Upon approval by the commission a copy of the registration shall be furnished to the applicant. All registrations expire on June 30 of each year.

Subd. 2. The application shall include the following information in the following order:

(1) The name and address of the company or person guaranteeing registration.

(2) The brand and grade.

(3) The guaranteed analysis showing the minimum percentage of plant food in the following order and form:

(a) *Until July 1, 1960, and thereafter until the commissioner prescribes the alternative form of "guaranteed analysis" in accordance with the provisions of subparagraph (b) hereof, the term "guaranteed analysis" shall mean the minimum percentage of plant food claimed in the following order and form:*

Total Nitrogen (N).....percent
 Available Phosphoric Acid (P_2O_5).....percent
 Soluble Potash (K_2O).....percent

(b) *At any time after July 1, 1960, that the commissioner finds, after public hearing following due notice, that the requirement for expressing the guaranteed analysis of phosphorus and potassium in elemental form would not impose an economic hardship on distributors and users of fertilizer by reason of conflicting labeling requirements among the states, he may require by regulation thereafter the "guaranteed analysis" shall be in the following form:*

Total Nitrogen (N).....percent
 Available Phosphorus (P).....percent
 Soluble Potassium (K).....percent

provided, however, that the effective date of said regulation shall be not less than six months following the issuance thereof, and provided, further, that for a period of two years following the effective date of said regulation, the equivalent of phosphorus and potassium may also be shown in the form

of phosphoric acid and potash; provided, however, that after the effective date of a regulation issued under the provisions of this section, requiring that phosphorus and potassium be shown in the elemental form, the guaranteed analysis for nitrogen, phosphorus, and potassium shall constitute the grade. In the case of bone, tankage, and other natural organic phosphate materials, the total phosphoric acid, but not the available, shall be guaranteed. Unacidulated mineral phosphatic materials and basic slag shall be guaranteed and labeled as to available phosphoric acid only, and as to the degree of fineness.

(4) The sources from which the nitrogen, phosphoric acid, and potash are derived.

(5) Additional plant food elements, determinable by chemical control methods, may be guaranteed only by permission of the commissioner with the advice of the director of the experiment station. When any such additional plant food elements are included in the guarantee, they shall be subject to inspection and analysis in accordance with the methods and regulations that may be prescribed by the commissioner.

(6) The commissioner may permit or require the potential basicity or acidity (expressed in terms of calcium carbonate equivalent in multiples of 100 pounds per ton) to be registered and guaranteed.

Subd. 3. The distributor of any brand and grade of commercial fertilizer shall not be required to register the same if it has already been registered under the *Minnesota fertilizer law of 1949* by a person entitled to do so and such registration is then in effect.

Subd. 4. The plant food content of each and every brand and grade of commercial fertilizer must remain uniform for the period of registration.

Sec. 2. Minnesota Statutes 1957, Section 17.206, is amended to read:

17.206 Inspection fee. *Subdivision 1.* There shall be paid to the commissioner for all commercial fertilizers offered for sale, sold, or distributed in this state an inspection fee at the rate of five cents per ton; provided, that products sold to manufacturers or exchanged between them are hereby exempted when used exclusively for manufacturing purposes; and provided further that, on individual packages of commercial fertilizer containing 25 pounds or less, there shall be paid in lieu of the annual registration fee of \$1 per brand and the five cents per ton inspection fee, an annual registration fee

and inspection fee of \$25 for each brand and grade sold or distributed. If a person sells commercial fertilizer in packages of 25 pounds or less, and in packages over 25 pounds, the annual registration and inspection fee of \$25 shall apply only to those brands and grades sold in packages of 25 pounds or less, and those brands and grades sold in packages over 25 pounds shall be subject to the inspection fee of five cents per ton as provided in this section. Fees so collected shall be paid into the state treasury.

Subd. 2. Payment of the inspection fee levied by this section shall be made on the basis of semiannual tonnage reports subscribed and sworn to before a notary, or witnessed by a duly authorized agent of the commissioner, and filed with the commissioner by the person to whom fertilizer registration is issued. The tonnage reports shall cover the semiannual periods ending June 30 and December 31, of each year and shall be filed with the commissioner not later than 30 days (which may be extended on valid reason therefor an additional 30 days, on written request to the commissioner) after the close of each semiannual period. Remittance to cover the inspection fee at the rate prescribed in this section shall accompany each tonnage report; provided also that each tonnage report shall grant to the commissioner or his authorized agent permission to verify the records upon which such statement of tonnage is based.

Sec. 3. Minnesota Statutes, 1957, Section 17.208, is amended to read:

17.208 Amounts of nitrogen, phosphoric acid and soluble potash. *Subdivision 1.* Until July 1, 1960, and thereafter until the commissioner prescribes the alternative form of "guaranteed analysis" in accordance with the provisions of sub-paragraph (b) of subdivision 2 of section 17.204, no superphosphate containing less than 18 percent available phosphoric acid nor any mixed fertilizer in which the sum of guarantees for the nitrogen, available phosphoric acid, and soluble potash totals less than 27 percent shall be offered for sale, sold, or distributed in this state except for complete fertilizers containing one-fourth or more of their nitrogen in water-insoluble form of plant or animal origin, in which case the total nitrogen, available phosphoric acid, and soluble potash need not total more than 24 percent.

Subd. 2. At any time after July 1, 1960, when the commissioner requires by regulation that the "guaranteed analysis" shall be in the form prescribed in sub-paragraph (b) subdivision 2 of section 17.204, no super phosphate contain-

ing less than eight percent available phosphorus nor any mixed fertilizer in which the sum of the guarantees for the nitrogen, available phosphorus, and soluble potassium totals less than 20 percent shall be offered for sale, sold, or distributed in this state except for complete fertilizers containing one-fourth or more of their nitrogen in water insoluble form of plant or animal origin, in which case the total nitrogen, available phosphorus, and soluble potassium need not total more than 18 percent, except that no mixed fertilizers sold in soluble liquid form in which the sum of the guarantees for the nitrogen, available phosphorus and soluble potassium totals less than 18 percent shall be offered for sale, sold, or distributed in this state.

Sec. 4. Minnesota Statutes 1957, Section 17.212, is amended to read:

17.212 Sales report; failure to file. Each person registering commercial fertilizers under the *Minnesota fertilizer law of 1949*, shall furnish the commissioner with a confidential written statement of the tonnage of each grade of fertilizer sold by him in this state. Said statement shall include all sales for the periods of July 1 to and including December 31 and of January 1 to and including June 30 of each year. The commissioner may, in his discretion, cancel the registration of any person failing to comply with this section if the above statement is not made within 30 days from date of the close of each period. The commissioner, however, in his discretion, may grant a reasonable extension of time. No information furnished under this section shall be disclosed in such a way as to divulge the operations of any person.

Sec. 5. *This act becomes effective July 1, 1959.*

Approved March 24, 1959.

CHAPTER 118—S. F. No. 256

[Not Coded]

An act relating to the state treasurer, providing for temporary borrowing to supply deficiencies in the veterans adjusted compensation fund.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Veteran's adjusted compensation, deficiency.** For the purpose of supplying deficiencies in the veterans com-