

3 MCAR S 1.0328

1 Minnesota Department of Agriculture

2 Agronomy Services Division

3

4 Adopted Rule Governing Soil and Plant Amendment Labels and

5 Labeling Requirements

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7 Rule as Adopted

8 3 MCAR S 1.0328 Soil and plant amendment labels and labeling

9 requirements.

10 A. Authority and purpose. This rule is adopted by the
11 commissioner pursuant to Minnesota Statutes, section 17.725 to
12 prescribe conditions for the labels and procedures for labeling
13 soil and plant amendments.

14 B. Definitions. For the purposes of this rule, the terms
15 "brand," "commercial fertilizer," "commissioner," "fertilizer
16 material," "guaranteed analysis," "guarantor," "label,"
17 "labeling," "plant amendment," "plant food," "sewage sludge,"
18 and "soil amendment" have the meanings given them in Minnesota
19 Statutes, section 17.713.

20 C. Label requirements.

21 1. Any soil or plant amendment, except for sewage sludge,
22 which is offered for sale, sold, or distributed in this state,
23 in bags or other containers, must have placed on or affixed to
24 the container the following information:

- 25 a. net weight;
- 26 b. brand name;
- 27 c. guaranteed analysis;
- 28 d. name and address of guarantor;
- 29 e. directions for the soil or plant amendment's use;
- 30 f. the soil or plant amendment's purpose or proposed
- 31 use;
- 32 g. the words "NOT A PLANT FOOD PRODUCT"; and
- 33 h. a statement listing the common or usual English
- 34 name of all ingredients used in manufacturing or blending the
- 35 soil or plant amendment:

36 2. The label requirements in C.1.g. do not apply to soil

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1 or plant amendments or sewage sludge offered for sale that
2 contain fertilizer materials.

3 a. If the soil or plant amendment or sewage sludge
4 contains fertilizer materials that meet the plant food content
5 requirements of Minnesota Statutes, section 17.721, the
6 fertilizer materials must be guaranteed and labeled in
7 accordance with Minnesota Statutes, sections 17.711 to 17.729
8 and 3 MCAR S 1.0327.

9 b. If the soil or plant amendment or sewage sludge
10 contains fertilizer materials that do not meet the plant food
11 content requirements of Minnesota Statutes, section 17.721, the
12 fertilizer materials may not be guaranteed and must be listed in
13 a caution or warning statement with appropriate percentages of
14 each plant food.

15 The following is an example of an acceptable caution or
16 warning statement for a soil or plant amendment offered for sale
17 containing fertilizer materials below the plant food
18 requirements of 3 MCAR S 1.0327:

19 "CAUTION. This product may contain _____ percent nitrogen,
20 _____ percent calcium, and _____ percent zinc. This information
21 should be taken into consideration when the product is used in
22 conjunction with commercial fertilizer or when sensitive crops
23 or plants are involved."

24 3. Sewage sludge which is applied to a landspreading site
25 must have a sewage sludge analysis containing the information
26 listed in a. to g. All analytical values except pH and total
27 solids must be recorded on a dry weight basis. The most recent
28 sewage sludge analysis, in written or printed form, must be
29 supplied to the owner, renter, or lessee of a landspreading site
30 before sewage sludge is spread.

31 a. Percentage of total solids.

32 b. Volatile solids as a percentage of total solids.

33 c. pH.

34 d. Percentage of nitrogen, including the percentages
35 of kjeldahl, ammonia, and in the case of aerobically digested
36 and composted sewage sludge, nitrate.

1 e. Phosphorus and potassium, expressed as percentages
2 of available phosphoric acid (P_2O_5) and soluble potash (K_2O).

3 f. Total weight of heavy metals, including milligrams
4 per kilogram of zinc, copper, lead, nickel, cadmium, chromium,
5 mercury, and molybdenum.

6 g. Polychlorinated biphenyls expressed as milligrams
7 per kilogram.

8 4. For packaged soil or plant amendments or sewage sludge
9 offered for sale, the information required in 1. or 2. must be
10 in a readable and conspicuous form and must meet one of the
11 following requirements:

12 a. appear on the front of the package;

13 b. occupy at least the upper one-third of either side
14 of the package;

15 c. appear on the upper end of the container; or

16 d. be printed on a tag and attached to the package.

17 5. For bulk soil or plant amendments or sewage sludge
18 offered for sale, the information required in 1. or 2., in
19 written or printed form, must accompany delivery and be supplied
20 to the purchaser at the time of delivery.

21 D. Labeling and labels. Proposed labeling and labels with
22 directions for use of the soil or plant amendment must be
23 furnished with an application for registration of a soil or
24 plant amendment.

25 E. Enforcement. The commissioner shall proceed in
26 accordance with Minnesota Statutes, section 17.728 upon
27 satisfactory evidence that a label or labeling of a soil or
28 plant amendment or sewage sludge does not meet the provisions in
29 this rule.