HOUSE BILL 50

By: Delegate G. Clagett
Requested: November 12, 2009
Introduced and read first time: January 13, 2010
Assigned to: Environmental Matters
Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 9, 2010

CHAPTER _____

1 AN ACT concerning

2 Agriculture – Specialty Fertilizers Lawn Fertilizer – Low Phosphorous Fertilizer

3 FOR the purpose of altering the threshold for the phosphoric acid content of lawn fertilizers to which certain prohibitions and requirements apply; altering a certain applicability date; providing for a certain exception until a certain date; altering a certain definition; and generally relating to the regulation of low phosphorous fertilizer.

4 BY repealing and reenacting, with amendments,

5 Article – Agriculture

6 Section 6–201(p) and 6–210(e)

7 Annotated Code of Maryland

8 (2007 Replacement Volume and 2009 Supplement)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

10 Article – Agriculture

11 6–201.

12 (p) “Low phosphorous fertilizer” means fertilizer:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Underlining indicates amendments to bill.
Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.
(1) Containing not more than [5%] 0.5% of available phosphoric acid (H₃PO₄); and

(2) That has an application rate not to exceed 0.25 pound of available phosphoric acid (H₃PO₄)/1,000 square feet/application and 0.5 pound of available phosphoric acid (H₃PO₄)/1,000 square feet/year.

6–210.

(e) (1) Except as provided in paragraph PARAGRAPHS (2) AND (3) of this subsection, on or after April 1, 2011 2012, a lawn fertilizer with an available phosphoric acid (H₃PO₄) content greater than [5%] 0.5%:

(i) May not be labeled for use on established lawns or grass;

(ii) May not be labeled with spreader settings; and

(iii) Shall be marked with the words “NOT FOR USE ON ESTABLISHED LAWNS OR GRASS” in at least a three–quarter inch font and in a legible and conspicuous manner on the front side of the container.

(2) ON OR AFTER APRIL 1, 2014, THIS SUBSECTION APPLIES TO A LAWN FERTILIZER WITH ORGANIC PHOSPHOROUS MATERIALS.

(3) This subsection does not apply to seed starter fertilizer for use on newly established lawns or turf.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.