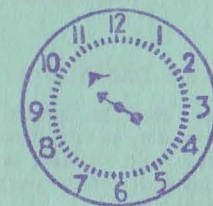


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**RULES  
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REGULATIONS**

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**FEED & FERTILIZER CONTROL OFFICE  
Box 366, State College, New Mexico**

Filed: 10-16-58



## RULES AND REGULATIONS

### THE NEW MEXICO FERTILIZER LAW



#### FERTILIZERS AS DEFINED BY LAW.

"Any substance shall be deemed to be a commercial fertilizer if by reason of its chemical composition or other quality, it is sold, offered, or exposed for sale, or distributed in this state for the purpose of increasing the crops produced by land."

#### EXEMPTIONS UNDER THE LAW.

"The provisions of this act shall not apply to raw materials in the hands of manufacturers, nor to salt (sodium chloride), limestone (calcium carbonate), dolomite (calcium magnesium carbonate), lime (calcium oxide), slaked lime (calcium hydroxide), gypsum (calcium sulphate), other materials of a like nature, or the dung of domestic animals when each is sold as such, and unmixed with anything else. Nothing in this law shall be construed as preventing anyone from mixing fertilizing materials for his own use only."

#### APPLYING FOR REGISTRATION.

Applications for registration must be made in the form of an affidavit on blanks furnished by the Feed & Fertilizer Control Office, State College, New Mexico. These forms should be carefully and completely filled in with all information as it applies to the brand being registered.

The application for registration of all commercial fertilizer should give:

(1) The brand name of the fertilizer. On commercial fertilizers containing nitrogen, phosphoric acid or potash, the trade name shall include the analysis as expressed by the percentage of these essential components, as for example, 12-24-12, 5-10-5, etc.

(2) The name and address of the manufacturer.

For fertilizers depending for their value on the elements nitrogen, phosphorous, or potassium, the application for registration should give:

- (1) The minimum per cent of total nitrogen (N).
- (2) The minimum per cent of total phosphorous pentoxide ( $P_2O_5$ ), more commonly known and which may be shown as phosphoric acid.
- (3) The maximum per cent of phosphorous pentoxide ( $P_2O_5$ ), more commonly known as phosphoric acid in insoluble phosphates.
- (4) The minimum per cent of available phosphorous pentoxide ( $P_2O_5$ ), more commonly known and which may be shown as phosphoric acid.
- (5) The minimum per cent of di-potassium oxide ( $K_2O$ ), more commonly known and which may be shown as potash in compounds soluble in water.
- (6) The kind and minimum percentage expressed separately of any and all other constituents which contribute to the value of the fertilizer.
- (7) A guaranty that the fertilizer contains no horn, hoof, hair, feathers or other similarly inert nitrogenous matter.

For commercial fertilizers that do not depend for their value on the nitrogen, phosphorous, or potash content, but on some other elements, the kind and minimum per cent of any and all other constituents contributing to the value of the fertilizer should be stated on the registration—these to be expressed separately as elements as well as the compound form.

#### REGISTRATION FEE.

Application for registration of each brand of fertilizer must be accompanied by a fee of five dollars (\$5.00) per brand. No deduction in the fee can be made for a portion of the year. A separate registration fee is required for each brand and for each grade of the same brand. When registration has been completed by the Feed & Fertilizer Control Office, duplicate copy will be returned to the manufacturer or registrant in order that he may keep a record of his registrations.

#### LABELING.

The firm name, brand name, guarantee and other information must be the same on the label as on the approved registration. The label for commercial fertilizer packed in bags or bottles may be in the form of a separate tag attached to each bag of fertilizer or may be printed on the container. Nothing other than that specified on the registration will be permitted on the label. It is suggested that copy or facsimile of the proposed label be submitted with each application for registration.

#### INSPECTION FEES.

Commercial fertilizers sold, offered or exposed for sale or distributed in New Mexico are subject to a tax of

twenty-five cents (25c) per ton. Payment of this tax is to be made quarterly in January, April, July and October for the preceding three months along with a certified statement as to fertilizer sales for that period. "If any quarterly affidavit is not filed or if the inspection fee is not paid within the thirty day period, a penalty of five dollars (\$5.00) per day for each delinquent day thereafter shall be assessed for each delinquency."

#### PAYMENT OF INSPECTION FEE ON SMALL PACKAGES.

"For each brand of commercial fertilizer sold, offered or exposed for sale, or distributed in New Mexico in packages of only five pounds or less or in bottles of only one quart or less there may be paid by the person, firm, association or corporation registering the brand an annual inspection fee of ten dollars (\$10.00) in lieu of the inspection fee based on tonnage, such annual fee to be paid during the month of July of each year."

#### NOTICE OF SHIPMENT REQUIRED.

The New Mexico Fertilizer Law requires that each manufacturer, importer, jobber, firm, association, corporation, or person notify the Feed & Fertilizer Control Office, State College, New Mexico, within 24 hours after making any shipment of fertilizer, as to the date, amount, consignee and destination of each shipment into or within the state. This report may be made by a copy of the invoice, or on forms furnished by this office, or any other way convenient to the manufacturer or party making the shipment.

#### INOCULATING MATERIALS.

The wording of the fertilizer law is such that it includes as commercial fertilizer all materials for which any claim of inoculation is made. For this class of fertilizers, the following information should be given on the application:

- (1) The purpose of organisms with their names.
- (2) The name of the crop or crops for which the material is intended.
- (3) The guaranteed minimum number of bacteria per cc. or gram capable of performing the function for which the brand is sold at any time previous to the date of expiration of the guaranteed value as shown by the label.

#### CORRESPONDENCE.

All correspondence relating to fertilizers or their registration should be addressed to the Feed & Fertilizer Control Office, State College, New Mexico; checks also to be made payable to the same office.

