

No. 203

AN ACT

HB 2090

Amending the act of May 29, 1956 (P.L.1795), entitled "An act regulating the sale and distribution of mixed fertilizers and fertilizer materials; imposing powers and duties on the Secretary of Agriculture and prescribing penalties," revising the penalty provisions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection (a) of section 7, act of May 29, 1956 (P.L.1795), known as the "Pennsylvania Fertilizer Law of 1956," amended August 12, 1971 (P.L.331), is amended to read:

Section 7. Plant Nutrient Deficiency.—(a) If the analysis shows that any commercial fertilizer falls short of the guaranteed analysis in any one ingredient, a penalty *of three times the value of the deficiency* shall be assessed by the secretary against the manufacturer in accordance with tolerances that the Department of Agriculture shall promulgate within one year from this enactment. It is the legislative intent that the Department of Agriculture, so far as practicable, adopt the tolerances established in the current Model Regulations printed in the annual publications of the Association of American Plant Food Control Officials. Tolerances presently established in this act shall apply until the new tolerances have been duly promulgated by regulation.

Deficiencies in any other constituent, except those covered under this section, which the registrant is required to or may guarantee shall be evaluated by the secretary and [~~penalties therefor shall be prescribed~~] *a penalty of three times the value of the deficiency shall be assessed* by the secretary.

* * *

Section 2. This act shall take effect immediately.

APPROVED—The 22nd day of September, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 203.



Secretary of the Commonwealth.