

## CHAPTER L.

[S. B. No. 155.]

## REGULATING SALE OF COMMERCIAL FERTILIZERS.

AN ACT to regulate the manufacture and sale of commercial fertilizers in the State of Washington and providing a penalty for the violation thereof.

*Be it enacted by the Legislature of the State of Washington :*

Fertilizer in packages offered for sale to be stamped.

SECTION 1. Every lot or parcel of commercial fertilizers or material used for manurial purposes sold, offered or exposed for sale within this state, the retail price of which is ten dollars or more per ton, shall be accompanied by a plainly printed label, stating clearly and truly the number of ten pounds of fertilizer in the package, the name, brand or trade mark under which the fertilizer is sold, the name and address of the manufacturer or importer, the place of manufacture and a chemical analysis stating the per centage of nitrogen, of potash soluble in water and of soluble reverted and insoluble phosphoric acid. Whenever any fertilizer or fertilizing ingredients are shipped or sold in bulk for use by farmers in this state a statement must be sent to the chemist of the Washington state agricultural experiment station at Pullman, who is hereby created state chemist, *ex officio*, giving the name of the goods so shipped and accompanied by an affidavit from the seller, giving the per centage of the several fertilizing ingredients guaranteed. All fertilizers sold, offered or exposed for sale shall be accompanied by a label giving a correct general statement of the composition and ingredients of the same.

Bulk sales to be reported to state chemist.

Label must state ingredients.

Report to state chemist.

SEC. 2. Before any commercial fertilizer, the retail price of which is ten dollars or more per ton, is sold, offered or exposed for sale, the importer, manufacturer or party who causes it to be sold or offered for sale within this state shall file with the chemist of the Washington state agricultural experiment station a certified copy of the statement named in section 1 of this act, and a list of the names and addresses of his

agents in this state; and shall also deposit with said chemist, at his request, a sealed glass jar or bottle containing not less than one pound of the fertilizer, accompanied by an affidavit that it is a fair, average sample thereof.

SEC. 3. The manufacturer, importer, agent or seller of any brand of commercial fertilizer or material used for manurial purposes, the retail price of which is ten dollars or more per ton, shall pay on or before the first day of April annually to the treasurer of the Washington state agricultural experiment station an analysis fee of six dollars for each of the fertilizing ingredients contained, or claimed to exist in, said fertilizer to be sold, offered or exposed for sale within this state as aforesaid: *Provided, however,* That whenever the manufacturer or importer shall have paid the fee herein required for any person acting as agent or seller for such manufacturer or importer, such agent or seller, shall not be required to pay the fee named in this section; and on receipt of said analysis fees the treasurer of the Washington state agricultural experiment station shall issue certificates of compliance with this act.

Analysis must be made of fertilizer manufactured in this state.

SEC. 4. No person shall sell, offer or expose for sale in this state any pulverized leather, raw, steamed, roasted, or in any form, as fertilizer or manure without an explicit printed certificate of the fact, to be conspicuously affixed to every package of such fertilizer or manure, and to accompany or go with every lot or parcel of the same.

Certificate in case leather is used.

SEC. 5. Any person selling, offering or exposing for sale any commercial fertilizer without the statement as required by the first section of this act, or with a label stating that said fertilizer contains a larger percentage of any one or more of the constituents mentioned in said section than is contained therein, or respecting the sale of which all the provisions of the foregoing sections have not been fully complied with, shall pay a fine of fifty dollars for the first offense and one hundred dollars for each subsequent offense.

Penalty.

Exceptions.

SEC. 6. This act shall not effect parties manufacturing, importing or purchasing fertilizers for their own use and not selling in this state.

Duty of director of Washington state agricultural experiment station.

SEC. 7. The director of the Washington state agricultural experiment station shall cause to be collected and analyzed by the chemist of the Washington state agricultural experiment station, or deputy, samples of such fertilizing materials as are subject to the conditions of this act, which may from time to time be sold, offered or exposed for sale in this state; and the director of the Washington state agricultural experiment station shall cause the results of the analysis of fertilizers collected under this act to be published, and issue the results to the farmers of the state as rapidly as the progress of the work will allow, together with the comparative commercial value per ton, and such other information as circumstances may advise. The chemist shall compile the results of the analysis of the fertilizers collected under this act and furnish a copy of the same to the director of the Washington state agricultural experiment station for publication.

Duty of state chemist.

SEC. 8. The chemist of the Washington state agricultural experiment station is hereby authorized, in person or by deputy, to take a sample not exceeding two pounds in weight for analysis from any lot or package of fertilizer, or any material used for manurial purposes which may be in the possession of any manufacturer, importer, agent or dealer, but the said samples shall be taken in the presence of said party or parties in interest or their representatives, and taken from a parcel or number of packages which shall be not less than ten per cent. of the whole lot inspected, and shall be thoroughly mixed, divided into two samples, placed in glass vessels, carefully sealed, and a label placed on each stating the name or brand of the fertilizer or material sampled, the name of the party from whose stock the sample was taken, and the time and place of taking the same, and said label shall also be signed by the chemist or his deputy and by the party or parties in interest or their representatives present at the taking

and sealing of said sample. One of said samples shall be retained by the chemist or deputy and the other by the party whose stock was sampled. Every person violating this act shall be prosecuted by the prosecuting attorney of the county in which the violation occurs, upon complaint of the director and chemist of the Washington state agricultural experiment station.

SEC. 9. For all the purposes of this act fertilizers <sup>Brands.</sup> shall be considered as distinct brands when differing either in guaranteed composition, trade mark, name or in any other characteristic method of marking of whatever nature.

SEC. 10. The expenses of collection, analysis, print- <sup>Expenses, etc.</sup> ing and distribution authorized by this act shall be paid from and out of the moneys received by the treasurer of the Washington state agricultural experiment station under the provisions of section 3 of this act.

Passed the Senate February 20, 1899.

Passed the House March 4, 1899.

Approved March 8, 1899.

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## CHAPTER LI.

[S. B. No. 102.]

### DEFICIENCY PRINTING APPROPRIATION.

AN ACT for the appropriation of money to defray the expenses of public printing.

*Be it enacted by the Legislature of the State of Washington :*

SECTION 1. That there be appropriated from the general fund of the state not otherwise appropriated six thousand dollars (\$6,000), or so much thereof as may be necessary, for the purpose of defraying the expenses of public printing for the fiscal year ending March 31, 1899.

Passed the Senate February 2, 1899.

Passed the House March 6, 1899.

Approved March 8, 1899.