

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Fairchild**

A Bill

HOUSE BILL 2120

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§2-19-501, 2-19-
9 502 AND 2-19-503; AND FOR OTHER PURPOSES."

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11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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13 SECTION 1. Arkansas Code § 2-19-501 is hereby amended to read as
14 follows:

15 "2-19-501. Definitions.

16 'One hundred percent (100%) natural organic fertilizer' shall be defined
17 as and include the following:

18 (1) One hundred percent (100%) organic fertilizer - Materials derived
19 from either plant or animal products containing one or more elements (other
20 than carbon, hydrogen, and oxygen) which are essential for plant growth.

21 (A) These materials may be subjected to biological degradation
22 processes under conditions of drying, composting, enzymatic or
23 anaerobic/aerobic bacterial action or any combination of these.

24 (B) These materials shall not be mixed with synthetic materials;

25 (2) One hundred percent (100%) natural organic fertilizer shall be
26 processed from only one hundred percent (100%) animal substrate. No other
27 organic or inorganic, natural or synthetic, additives shall be used during
28 processing and no fortification may be used;

29 (3) One hundred percent (100%) natural organic fertilizers shall
30 contain as a guaranteed analysis not less than: nitrogen, 4.0%; phosphoric acid
31 (P_2O_5), 2%; and potash (K_2O), 4.0%;

32 (4) Determination of the guaranteed analysis will be according to
33 methods adopted by the Association of Official Analytical Chemists.

34 (Fertilizers and Materials Containing Large Quantities of Organic Matter; 12th
35 edition, With Following Improvements)."

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SECTION 2. Arkansas Code § 2-19-502 is hereby amended to read as follows:

"2-19-502. Regulation and supervision.

(a) The State Plant Board shall have the authority to regulate and supervise the manufacture and sale of one hundred percent (100%) natural organic fertilizer, including the setting and collecting of reasonable fees for sampling and analyzing the fertilizer and registering manufacturers, and shall adopt and promulgate such rules, regulations, and penalties consistent with this subchapter, and § 2-19-202, as may be necessary.

(b) The fees and penalties set and collected by the State Plant Board pursuant to this section shall not exceed like fees and penalties set for other types of fertilizers.

(c) When any reference or claim is made on the label for secondary or minor plant nutrients, a specific guarantee of the specific elements contained shall be given in the guaranteed analysis."

SECTION 3. Arkansas Code § 2-19-503 is hereby amended to read as follows:

"2-19-503. Exemptions.

This subchapter shall not affect the private sale of unprocessed animal litter, nor shall the State Plant Board regulate the private sale of unprocessed animal litter which is not sold as one hundred percent (100%) natural organic fertilizer as defined by this subchapter."

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 6. All laws and parts of laws in conflict with this act are

1 hereby repealed.

/s/Bob Fairchild