

ACT No. 15

Regular Session, 2012

HOUSE BILL NO. 171

BY REPRESENTATIVE ANDERS

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AN ACT

To amend and reenact R.S. 3:1413(C)(2)(a) and 1415(A)(6) and to enact R.S. 3:1415(A)(7), relative to fertilizers; to provide for the regulations on the sale of fertilizers; to provide for an inspection fee; to provide for due dates; to provide for a deficiency assessment; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:1413(C)(2)(a) and 1415(A)(6) are hereby amended and reenacted and R.S. 3:1415(A)(7) is hereby enacted to read as follows:

§1413. Restrictions on sale of fertilizer

* * *

C.

* * *

(2)(a) Payment of ~~tonnage~~ the inspection fee shall be on the basis of tonnage reports submitted by the registrant who prior to making sales must file a statement with the commission agreeing to keep such records as are necessary to accurately indicate the tonnage and kind of fertilizer sold and must grant the commissioner the right to examine such records for verification of the statement of tonnage. The tonnage reports shall be made on forms supplied by the commissioner for supplying the necessary tonnage and statistical information. The tonnage reports and inspection fees shall be due and payable on the first day of ~~July~~ April, the first day of ~~October~~ July, the first day of ~~January~~ October, and the first day of ~~March~~ January. The minimum inspection fee due for each quarter shall be ten dollars.

* * *

1 §1415. Deficiency assessment

2 A. Whenever the commissioner determines, based on an analysis performed
3 by the state chemist, that a given lot or shipment of fertilizer is deficient in one or
4 more guaranteed plant foods, a deficiency assessment shall be assessed against the
5 guarantor in accordance with the following provisions:

6 * * *

7 (6) The minimum deficiency assessment under this Part shall be ten dollars.

8 ~~(6)~~ (7) All deficiency assessments assessed under this Section shall be paid
9 by the guarantor to the person who purchased the fertilizer for use, if known, within
10 thirty days of notice by the commissioner to the registrant. If the purchaser-user of
11 the fertilizer cannot be identified, the penalty shall be paid to the commission.

12 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____