

# HOUSE BILL 50

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(PRE-FILED)

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By: **Delegate G. Clagett**

Requested: November 12, 2009

Introduced and read first time: January 13, 2010

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Specialty Fertilizers – Low Phosphorous Fertilizer**

3 FOR the purpose of altering the threshold for the phosphoric acid content of lawn  
4 fertilizers to which certain prohibitions and requirements apply; altering a  
5 certain definition; and generally relating to the regulation of low phosphorous  
6 fertilizer.

7 BY repealing and reenacting, with amendments,  
8 Article – Agriculture  
9 Section 6–201(p) and 6–210(e)  
10 Annotated Code of Maryland  
11 (2007 Replacement Volume and 2009 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Agriculture**

15 6–201.

16 (p) “Low phosphorous fertilizer” means fertilizer:

17 (1) Containing not more than [5%] **0.5%** of available phosphoric acid  
18 ( $H_3PO_4$ ); and

19 (2) That has an application rate not to exceed 0.25 pound of available  
20 phosphoric acid ( $H_3PO_4$ )/1,000 square feet/application and 0.5 pound of available  
21 phosphoric acid ( $H_3PO_4$ )/1,000 square feet/year.

22 6–210.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (e)   (1)   Except as provided in paragraph (2) of this subsection, on or after  
2 April 1, 2011, a lawn fertilizer with an available phosphoric acid ( $H_3PO_4$ ) content  
3 greater than ~~[5%]~~ **0.5%**:

4                           (i)    May not be labeled for use on established lawns or grass;

5                           (ii)   May not be labeled with spreader settings; and

6                           (iii) Shall be marked with the words "NOT FOR USE ON  
7 ESTABLISHED LAWNS OR GRASS" in at least a three-quarter inch font and in a  
8 legible and conspicuous manner on the front side of the container.

9                   (2)   This subsection does not apply to seed starter fertilizer for use on  
10 newly established lawns or turf.

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2010.