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COLORADO DEPARTMENT OF AGRICULTURE

Inspection and Consumer Services Division

Fertilizers and Soil Conditioners

8 CCR 1202-4

Part 5. LABEL REQUIREMENTS

5.1 Fertilizer labels

The following information shall be displayed on the product label in a readable and conspicuous form:

- (a) Product name
- (b) Grade
- (c) Guaranteed Analysis in the following format and order:

Guaranteed Analysis

Total Nitrogen (N) _____%

_____ % Ammoniacal Nitrogen**

_____ % Nitrate Nitrogen**

_____ % Water Insoluble Nitrogen*

_____ % Urea Nitrogen**

_____ % (other recognized and determinable forms of Nitrogen)**

- (d) Available Phosphate (P_2O_5) _____%
- (e) Soluble Potash (K_2O) _____%
- (f) (Other nutrients, elemental basis) _____%***
- (g) Directions for use sufficient to ensure the safe and effective use of the product that, at a minimum, specify:
 - (i) The type(s) of plant(s) for which the product is intended
 - (ii) The recommended application method(s) and rate(s)
 - (iii) Any warning or caution statements necessary to avoid harm to the target plant(s), or other plants or animals
- (h) Net weight or mass, net volume of liquid or dry material, or count.

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(i) THE DATE OF MANUFACTURE, PROCESSING, PACKAGING OR REPACKAGING OR A CODE THAT PERMITS THE DETERMINATION OF THE DATE, OR IF BULK, THE SHIPMENT OR DELIVERY DATE

(j) THE NAME AND ADDRESS OF THE REGISTRANT.

*If claimed or the statement "organic" or "slow acting nitrogen" or similar terms are used on the label

**If claimed.

***As prescribed by Rule 5.2

5.2 Plant Nutrients in addition to Nitrogen, Phosphorous, and Potassium

- (a) Other plant nutrients, when mentioned in any form or manner, shall be guaranteed only on an available elemental basis. Sources of the elements guaranteed and proof of availability shall be provided to the Commissioner upon request. The minimum percentages that will be accepted for registration are as follows:

<u>Element</u>	<u>Minimum %</u>
Calcium (Ca)	1.00
Magnesium (Mg)	0.50
Sulfur (S)	1.00
Boron (B)	0.02
Chlorine (Cl)	0.10
Cobalt (co)	0.0005
Copper (Cu)	0.05
Iron (Fe)	0.10
Manganese (Mn)	0.05
Molybdenum (Mo)	0.0005
Nickel (Ni)	0.0010
Sodium (Na)	0.10
Zinc (Zn)	0.05

Any of the above-listed elements which are guaranteed shall appear in the order listed, immediately following guarantees for the primary nutrients, nitrogen, phosphorous and potassium.

- (b) In determining the percentages of the plant nutrients guaranteed on the label the analytical methods specified in Section 6 shall be used, except that for copper, iron, manganese, zinc and cobalt, only that which is in the Na₂ EDTA soluble form as determined by the analytical method in Rule 6 (c), or that which is in the water soluble form determined by the analytical method in Rule 6 (d), whichever is higher, may be guaranteed. However, if the source for iron is iron sucrate, this exception does not apply.
- (c) Guarantees or claims for the above-listed plant nutrients are the only ones which will be accepted except that fertilizer guarantees may include other nutrients, recognized by AAPFCO. Proposed labels and directions for use of the fertilizer shall be furnished with the application for registration upon request.

5.3 Slowly Released Plant Nutrients

- (a) No fertilizer label shall bear a statement that connotes or implies that certain plant nutrients contained in a fertilizer are released slowly over a period of time, unless the slow release components are identified and guaranteed at a level of at least 15% of the total guarantee for that nutrient(s).

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- (b) Types of products recognized by the Commissioner to have slow release properties include, but are not limited to, (1) water insoluble products, such as natural organics, urea form materials, urea-formaldehyde products, isobutylidene diurea, and oxamide; (2) coated slow release products, such as sulfur coated urea and other encapsulated soluble fertilizers; (3) occluded slow release products in which fertilizers or fertilizer materials are mixed with waxes, resins, or other inert materials and formed into particles; and (4) products containing water soluble nitrogen such as ureaform materials, urea-formaldehyde products, methylenediurea (mdu), dimethylenetriurea (dmtu), and dicyanodiamide (dcd).
- (c) The term, "water insoluble", and "occluded slow release" are accepted as descriptive of these products, provided the manufacturer can demonstrate a testing program to substantiate the claim that is acceptable to the Commissioner.
- (d) A laboratory procedure, acceptable to the Commissioner for evaluating the release characteristics of the product(s) must be provided by the manufacturer if requested by the Commissioner.

5.4 Soil Conditioner and Plant Amendment Labels

The following information must be displayed on the product label in a readable and conspicuous form:

- (a) Net Weight or mass, net volume of liquid or dry material, or count.
- (b) Product Name.
- (c) Statement of composition including the name and percentage of each conditioning and amending ingredient identified by the name published in the 2008 Official Publication of the Association of American Plant Food Control Officials, Inc., incorporated herein by reference (later amendments not included). If no APPFCO name exists, the common or usual name shall be used.
- (d) Total percent of other ingredients.
- (e) Purpose of product.
- (f) Directions for use sufficient to ensure the safe and effective use of the product that, at a minimum, specify:
 - (i) The type(s) of plant(s) or soil(s) for which the product is intended.
 - (ii) The recommended application method(s) and rate(s).
 - (iii) Any warning or caution statements necessary to avoid harm to the target plants (if applicable), or other plants or animals.
- (g) Name and address of the registrant.

(H) THE DATE OF MANUFACTURE, PROCESSING, PACKAGING OR REPACKAGING OR A CODE THAT PERMITS THE DETERMINATION OF THE DATE OR IF BULK, THE SHIPMENT OR DELIVERY DATE

5.5 Compost Labels

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- (a) The following information shall be displayed on the product label in a readable and conspicuous form:
 - (i) Product name.
 - (ii) Directions for use sufficient to ensure the safe and effective use of the product that at minimum specify:
 - (a) The type(s) of plant(s) or soil(s) for which the product is intended;
 - (b) The recommended application method(s) and rate(s); and
 - (c) Any warning or caution statements necessary to avoid harm to the target plants (if applicable), or other plants or animals.
 - (iii) Name and address of the manufacturer or distributor.
 - (iv) Net weight or volume.
 - (v) Additional analytical information, if supplied, shall be listed under the heading "typical analysis" and shall not be considered to be a guarantee.
- (b) Compost distributed in bulk must be accompanied by a printed or written statement showing the ph level & soluble salt level in addition to the information required above.
- (c) Any product labeled as compost must meet the following minimum standards:
 - (i) The product must contain carbon and nitrogen in a ratio of less than or equal to 18, as determined by the method specified in Rule 6.2 (a).
 - (ii) The product must have a SOLVITA Ammonia Test result of greater than or equal to 4, as determined by the method specified in Rule 6.2 (b).
 - (iii) The product must have a SOLVITA Carbon Dioxide test result of greater than or equal to 5, as determined by the method specified in Rule 6.2 (b).

Part 9. STATEMENTS OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE

The Statements of Basis, Specific Statutory Authority and Purpose for rulemaking activity from 1971 to 1984 are no longer in the Department's files.

9.1 JANUARY XX, 2009 – EFFECTIVE MARCH 13, 2009

STATUTORY AUTHORITY:

THE COMMISSIONER OF AGRICULTURE, COLORADO DEPARTMENT OF AGRICULTURE, ADOPTS THESE PERMANENT RULES PURSUANT TO THE PROVISIONS AND REQUIREMENTS OF THE COLORADO COMMERCIAL FERTILIZER, SOIL CONDITIONER AND PLANT AMENDMENT ACT, 35-12-114, C.R.S.

PURPOSE:

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THE PURPOSE OF THESE RULES IS TO ADD ADDITIONAL LABELING REQUIREMENTS TO FERTILIZER AND SOIL CONDITIONING LABELING GUIDELINES.

FACTUAL AND POLICY ISSUES:

THE FACTUAL AND POLICY ISSUES ENCOUNTERED IN THE PROPOSAL OF THESE PERMANENT RULES ARE AS FOLLOWS:

1. UPON REVIEW OF THE RECENT AMENDMENTS TO THESE RULES, FILED WITH THE SECRETARY OF STATE ON OCTOBER 16, 2008, THE OFFICE OF LEGISLATIVE LEGAL SERVICES (OLLS) REQUESTED ADDITIONS TO RULE 5.1 TO CONFORM LABELING REQUIREMENTS FOR FERTILIZER PRODUCTS WITH THOSE IN SECTION 35-12-105(1), C.R.S.
2. IN ADDITION TO THE CHANGES REQUESTED BY OLLS, THE DEPARTMENT WILL ADD SIMILAR LANGUAGE TO RULE 5.4 TO CONFORM LABELING REQUIREMENTS FOR SOIL CONDITIONERS AND PLANT AMENDMENTS TO THOSE IN SECTION 35-12-105(3), C.R.S.