

HB 1728 -- FERTILIZER CONTROL BOARD

SPONSOR: Reiboldt

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Agriculture Policy by a vote of 14 to 3. Voted "Do Pass" by the Select Committee on Agriculture by a vote of 9 to 2.

This bill transfers the duties of enforcing and administering the laws relating to fertilizers from the Director of the Missouri Agricultural Experiment Station to the newly created Fertilizer Control Board. The board must be composed of 13 members appointed by the Director of the Department of Agriculture from persons nominated by specified nonprofit corporations. Five of the members must be actively employed as fertilizer manufacturers or distributors, five must be actively engaged in the business of farming, and three must be at-large members selected by the department director with the approval of a majority of the other 10 members of the board. The board must meet at least twice annually to conduct the specified duties of the board. Agents of the board are authorized to carry out specified activities in order to fulfill the duties of the board. The bill specifies that if a fertilizer is, upon official analysis, proven deficient from its guarantee as stated on the bag or other container, the total penalties assessed upon a fertilizer distributor cannot exceed \$5,000 per year or the amount of the current value of the plant food deficiency, whichever is greater. A distributor who knowingly and with malicious intent violates or attempts to violate the laws relating to fertilizer must be assessed a penalty of up to \$25,000 for each offense. If the preliminary analysis of a fertilizer shows a potential deficiency, the distributor must be notified within two business days by telephone or email in addition to a mailed notification letter.

This bill is the same as SB 655 (2016).

PROPOSERS: Supporters say that the board created in this bill would have the authority to fix the concerns expressed by the industry for the last several years, including how the money in the fund is used. The current fee accounts for approximately \$1.6 million each year and it funds inspectors and research. The board would be able to better direct where the research funding is spent.

Testifying for the bill were Representative Reiboldt; Missouri Agribusiness Association; Missouri Farm Bureau; Missouri Corn Growers Association; and the Missouri Soybean Association.

OPPONENTS: There was no opposition voiced to the committee.