

**CHAPTER 69**  
**COMMERCIAL FERTILIZERS AND**  
**SOIL CONDITIONERS**

**Authority**

N.J.S.A. 4:9-15.33

**Source and Effective Date**

R.1993 d.688, effective December 20, 1993.  
See: 25 N.J.R. 4544(a), 25 N.J.R. 5917(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 69, Commercial Fertilizers and Soil Conditioners, expires on December 20, 1998.

**Chapter Historical Note**

All provisions of this chapter were filed and became effective September 1, 1970 as R.1970 d.105. See: 2 N.J.R. 61(a), 2 N.J.R. 81(a).

1971 Revisions: Section 1.13 became effective March 26, 1971 as R.1971 d.44. See: 3 N.J.R. 36(a), 3 N.J.R. 55(b). Section 1.11 became effective October 20, 1971 as R.1971 d.185. See: 3 N.J.R. 174(a), 3 N.J.R. 218(b).

1973 Revisions: Amendments to section 1.11 became effective July 25, 1973 as R.1973 d.198. See: 5 N.J.R. 214(a), 5 N.J.R. 255(c).

1975 Revisions: Amendments to section 1.11 became effective July 1, 1975 as R.1975 d.188. See: 7 N.J.R. 246(a), 5 N.J.R. 290(b).

1976 Revisions: Amendments to section 1.11 became effective July 1, 1976 as R.1976 d.203. See: 8 N.J.R. 369(a).

1977 Revisions: Amendments to section 1.11 became effective July 27, 1977 as R.1977 d.266. See: 9 N.J.R. 403(a).

1978 Revisions: Amendments to section 1.11 became effective July 1, 1978 as R.1978 d.197. See: 10 N.J.R. 270(a).

1979 Revisions: Amendments to section 1.11 became effective June 11, 1979 as R.1979 d.288. See: 11 N.J.R. 222(a), 11 N.J.R. 315(b).

1980 Revisions: Amendments to section 1.11 became effective June 2, 1980 as R.1980 d.238. See: 12 N.J.R. 247(b), 12 N.J.R. 378(a).

1981 Revisions: Amendments to section 1.11 became effective June 4, 1981 as R.1981 d.172. See: 13 N.J.R. 114(c), 13 N.J.R. 318(c).

1982 Revisions: Amendments became effective May 17, 1982 as R.1982 d.159. See: 14 N.J.R. 258(a), 14 N.J.R. 471(b). Amendments to section 1.11 became effective August 2, 1982 as R.1982 d.236. See: 14 N.J.R. 402(a), 14 N.J.R. 833(c).

1983 Revisions: In compliance with Executive Order 66(1978), this chapter was readopted effective September 7, 1983 as R.1983 d.412. See: 15 N.J.R. 1206(b), 15 N.J.R. 1647(b). Amendments to section 1.11 became effective October 3, 1983 as R.1983 d.412. See: 15 N.J.R. 1206(b), 15 N.J.R. 1647(b).

1984 Revisions: Amendments to section 1.11 became effective June 18, 1984 as R.1984 d.233. See: 16 N.J.R. 782(b), 16 N.J.R. 1471(b).

1985 Revisions: Amendments to section 1.11 became effective June 3, 1985 as R.1985 d.266. See: 17 N.J.R. 764(a), 17 N.J.R. 1407(b).

1986 Revisions: Amendments to section 1.11 became effective June 2, 1986 as R.1986 d.198. See: 18 N.J.R. 586(a), 18 N.J.R. 1193(a).

1987 Revisions: Amendments to section 1.11 became effective July 6, 1987 as R.1987 d.275. See: 19 N.J.R. 484(a), 19 N.J.R. 1184(b).

1988 Revisions: Amendments to section 1.11 became effective June 20, 1988 as R.1988 d.284. See: 20 N.J.R. 696(a), 20 N.J.R. 1343(a). This chapter expired pursuant to Executive Order 66(1978) on October 3, 1988 and was adopted as a new rule pursuant to Executive Order 66(1978), effective November 7, 1988 as R.1988 d.527. See: 20 N.J.R. 1673(a), 20 N.J.R. 2750(a).

Pursuant to Executive Order No. 66(1978), Chapter 69 expired on November 7, 1993, and subsequently was adopted as new rules by R.1993 d.688. See, also, section annotations for specific rulemaking activity.

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**SUBCHAPTER 1. GENERAL PROVISIONS**

**2:69-1.1 Plant nutrients in addition to nitrogen, available phosphoric acid and potassium**

(a) Plant nutrients, beside nitrogen, phosphorus and potassium, when mentioned in any form or manner shall be registered and shall be guaranteed. Guarantees shall be made on the elemental basis. Sources of the elements guaranteed shall be shown on the application for a license. The minimum percentages which will be accepted for licensing are as follows:

Element	Percent
Calcium (Ca)	1.00
Magnesium (Mg)	0.50
Sulphur (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
Sodium (Na)	0.10
Zinc (Zn)	0.05

(b) Guarantees or claims for the above listed nutrients are the only ones which will be accepted. Proposed labels and directions for use of the fertilizer shall be furnished with the application for the license upon request. Warning

or caution statements are required for registration on the label for any product which contains 0.03 percent or more of boron in a water-soluble form or 0.001 percent or more of molybdenum. Any of the above listed elements which are guaranteed shall appear in the order listed, immediately following guarantees for the primary nutrients, nitrogen, phosphorus, and potassium.

### 2:69-1.2 Investigational allowances for primary nutrients

(a) A commercial fertilizer shall be deemed to be deficient if the analysis of any nutrient is below the guarantee by an amount exceeding the values in the following schedule, or if the overall Index Value of the fertilizer is below 98 percent. When the deviation from the guarantee is not in excess of the amounts shown, the fertilizer shall be considered as substantially meeting its guarantee. If the deviation is greater than the value shown, but less than twice the value shown, a warning shall be issued. If the deviation exceeds twice the value shown, the fertilizer shall be considered seriously deficient and subject to a penalty. When the Index Value falls between 98 percent and 95 percent a warning shall be issued. If the Index Value falls below 95 percent, the fertilizer shall be considered seriously deficient and subject to a penalty.

Guarantee percent	Nitrogen percent	Available Phosphoric Acid percent	Potash percent
4 or less	0.49	0.67	0.41
5	0.51	0.67	0.43
6	0.52	0.67	0.47
7	0.54	0.68	0.53
8	0.55	0.68	0.60
9	0.57	0.68	0.65
10	0.58	0.69	0.70
12	0.61	0.69	0.79
14	0.63	0.70	0.87
16	0.67	0.70	0.94
18	0.70	0.71	1.01
20	0.73	0.72	1.08
22	0.75	0.72	1.15
24	0.78	0.73	1.21
26	0.81	0.73	1.27
28	0.83	0.74	1.33
30	0.86	0.75	1.39
32 or more	0.88	0.76	1.44

For guarantees not listed, calculate the appropriate value by interpolation.

For these investigational allowances to be applicable, the recommended Association of Official Analytical Chemists' procedures for obtaining samples, sample preparation and analysis must be used.

(b) For WIN (Water Insoluble Nitrogen), deviations of ten per cent and 20 per cent respectively shall be used to determine whether a warning or penalty is appropriate.

#### Example:

3% WIN	
Pass	3.0 - 2.7
Warn	2.69 - 2.4
Penalty below	2.4

### 2:69-1.3 Investigational allowances for secondary and micro nutrients

Secondary (Calcium, Magnesium and Sulfur) and micro nutrients shall be deemed deficient if any element is below the guarantee by an amount exceeding the values in the following schedule. If the deviation is greater than the value shown, but less than twice the value shown, a warning shall be issued. If the deviation exceeds twice the value shown, the fertilizer shall be considered seriously deficient and subject to a penalty.

ELEMENT	ALLOWABLE DEFICIENCY
Calcium	
Magnesium	0.2 unit plus + 5% of guarantee
Sulfur	
Boron	0.003 unit plus 15% of guarantee
Cobalt	
Molybdenum	0.0001 unit plus 30% of guarantee
Chlorine	
Copper	
Iron	0.005 unit plus 10% of guarantee
Manganese	
Sodium	
Zinc	

The maximum allowance when calculated in accordance to above shall be one unit (one per cent).

### 2:69-1.4 Labeling and distribution of soil conditioners

(a) Any soil conditioner offered for sale or sold or distributed in this State, in bags, barrels or other containers shall have placed on, or affixed to the container, the following data in the following order:

1. Net Weight or Volume.
2. The words: "A Soil Conditioner".
3. Brand Name (which shall not be misleading).
4. Ingredient list using the common or usual English name of each component in the soil conditioner product at the time of blending or mixing. The type size of which shall be no smaller than eight point bold face capital letters.
5. Name and address of the licensee.
6. All data shall be printed in type that is plainly legible either directly on the package or on tags affixed to the end of the package. When a tag is used all information required by this Section shall appear on the tag.