

## Assembly Bill No. 2174

### CHAPTER 198

An act to amend Section 14611 of the Food and Agricultural Code, relating to fertilizer.

[Approved by Governor August 27, 2012. Filed with  
Secretary of State August 27, 2012.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2174, Alejo. Fertilizer: reduction of use.

Existing law requires a person who manufactures or distributes fertilizing materials to obtain a license from the Secretary of Food and Agriculture. Under existing law, a licensee whose name appears on the label who sells or distributes bulk fertilizing materials is required to pay specified fees for each dollar of sales, including an amount not to exceed \$0.001 per dollar of sales for all sales of fertilizing materials, to provide funding for research and education regarding the use and handling of fertilizing material, including, but not limited to, any environmental effects.

This bill would specify that the \$0.001 per dollar of sales fee may be used for the support of specified technical education and research programs that result in more agronomically sound uses of fertilizer materials and minimize the environmental impacts of fertilizer use, including, but not limited to, nitrates in groundwater and emissions of greenhouse gases resulting from fertilizer use, and for the support of education to increase awareness of more agronomically sound uses of fertilizer materials to reduce environmental impacts, as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Section 14611 of the Food and Agricultural Code is amended to read:

14611. (a) A licensee whose name appears on the label who sells or distributes bulk fertilizing materials, as defined in Sections 14517 and 14533, to unlicensed purchasers, shall pay to the secretary an assessment not to exceed two mills (\$0.002) per dollar of sales for all fertilizing materials. A licensee whose name appears on the label of packaged fertilizing materials, as defined in Sections 14533 and 14551, shall pay to the secretary an assessment not to exceed two mills (\$0.002) per dollar of sales. The secretary may, based on the findings and recommendations of the board, reduce the assessment rate to a lower rate that provides sufficient revenue to carry out this chapter.

(b) In addition to the assessment provided in subdivision (a), the secretary may impose an assessment in an amount not to exceed one mill (\$0.001) per dollar of sales for all sales of fertilizing materials, to provide funding for research and education regarding the use and handling of fertilizing material, including, but not limited to, support for University of California Cooperative Extension, the California resource conservation districts, other California institutions of postsecondary education, or other qualified entities to develop programs in the following areas:

(1) Technical education for users of fertilizer materials in the development and implementation of nutrient management projects that result in more agronomically sound uses of fertilizer materials and minimize the environmental impacts of fertilizer use, including, but not limited to, nitrates in groundwater and emissions of greenhouse gases resulting from fertilizer use.

(2) Research to improve nutrient management practices resulting in more agronomically sound uses of fertilizer materials and to minimize the environmental impacts of fertilizer use, including, but not limited to, nitrates in groundwater and emissions of greenhouse gases resulting from fertilizer use.

(3) Education to increase awareness of more agronomically sound use of fertilizer products to reduce the environmental impacts resulting from the overuse or inefficient use of fertilizing materials.