

# New York Agricultural Experiment Station

PETER COLLIER, DIRECTOR.

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DIGEST OF THE FERTILIZER LAWS IN SEVERAL STATES.  
STATISTICS OF FERTILIZERS.  
THE MAYNARD BILL.

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GENEVA, N. Y.

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[The first nine bulletins issued in the new series are now nearly out of print, and copies cannot be supplied.]

DIGEST OF THE FERTILIZER LAWS IN SEVERAL OF  
THE STATES.

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CONNECTICUT.

To all fertilizers retailing at ten dollars or more per ton the seller must affix a correct label and furnish to the Director of the Experiment Station a certified statement of its composition and a sealed sample must be deposited by the manufacturers or importers with the Director. The manufacturer or seller must deposit with the Director of the Experiment Station *an analysis fee of ten dollars* for each fertilizing ingredient which the fertilizer contains. Every person who sells or acts as agent for the sale of any commercial fertilizer shall annually, or at the time of becoming such seller, report to the Director of the Experiment Station his name, residence and postoffice address, also the brand of fertilizer sold. No person or party shall sell in the state any pulverized leather, raw, steamed, roasted or in any form, as a fertilizer, or as an ingredient of any fertilizer or manure without explicit printed certificates of the fact being conspicuously affixed to every package. The Director of the Experiment Station is authorized in person or by deputy to take samples for analysis.

MAINE.

For the purpose of protection from frauds in commercial fertilizers and from adulterations in food, feeds and seeds the Maine Fertilizer Control and Experiment Station was established. It provides that to every package of commercial fertilizer, the price of which exceeds ten dollars, there shall be affixed a certificate stating the number of net pounds in package, the name or trade mark of the brand, the name of the manufacturer, the place of manufacture and a chemical analysis of the fertilizer. For the sale of such fertilizer annually, by April 1, a license must be procured by the manufacturer, company or person selling in the state, from the Board of Managers for the Station. *A license fee of fifty dollars* for a single brand *and fifteen dollars* for each additional brand is required, and there must be furnished to the Secretary of the Board of Managers the names of all the agents authorized to sell the fertilizer in the state. The Director or his deputy is empowered to select annually fertilizers for analysis from these different packages, from three different sections of the state.

## MASSACHUSETTS.

The new law, recently enacted in Massachusetts, provides that the manufacturer, importer, agent or seller shall, for any fertilizer which retails at more than ten dollars per ton, annually, before the first day of May, pay to the Director of the Experiment Station an analysis fee of \$5 for each of the three fertilizing ingredients—nitrogen, phosphoric acid and potash—claimed to exist in the brand. A printed statement must accompany each package giving the name and address of the manufacturer, also the chemical composition of the fertilizer. No person shall offer for sale any pulverized leather, raw, steamed, roasted or in any form as a fertilizer or ingredient of any fertilizer or manure without affixing a printed certificate of the fact to every package. The Director shall cause one analysis or more annually to be made of each brand of fertilizer and the results are to be published monthly.

## NEW JERSEY.

Every commercial fertilizer offered for sale must be accompanied by an analysis and the method of stating the analysis is defined. The chemist of the State Board of Agriculture is the inspector of fertilizers and he must analyze annually one or more samples of every kind of fertilizer offered for sale. Any person interested may obtain an analysis, from the inspector, of any fertilizer, and for the certificate of analysis the parties must pay to the chemist a sum not exceeding fifteen dollars.

## PENNSYLVANIA.

The law specifies that every package of commercial fertilizer offered or exposed for sale in the state shall have plainly stamped thereon the name of the manufacturer, place of manufacture, net weight of contents, and an analysis stating the per cent. Every manufacturer or importer must annually file with the Secretary of the Commonwealth an affidavit stating the amount of said fertilizer sold within the state during the preceding year. It is the duty of the Board of Agriculture to analyze such specimens of commercial fertilizers as may be furnished by its agents.

The license fee required is \$10 for every hundred tons sold, \$20 for 100 to 500 tons, and \$30 for above 500 tons.

## NORTH CAROLINA.

The law in this state requires that the manufacturer or seller procure a license from the state treasurer for which he shall pay

a privilege tax of five hundred dollars for each separate brand or quality offered for sale. There must be also affixed to every package of fertilizer a printed label setting forth the name, location and trade mark of the manufacturer, also the chemical composition of the contents of each package. The Department of Agriculture may require the officers, agents or managers of any railroad or steamboat company to furnish monthly statements of the quantity of fertilizer, with the name of the consignor or consignee, delivered at any points in the state. They may even compel the company to submit their books for examination.

TABLE SHOWING STATES REQUIRING LICENSE, TAX, OR ANALYSIS FEE, FOR SALE OF FERTILIZERS:

STATE.	REQUIREMENTS*	AMOUNT REQUIRED.
Connecticut.....	Analysis fee..	\$10 per ingredient.
Delaware .....	Analysis fee..	\$30 to \$40.
Georgia .....	Tax .....	50 cts. per ton (for tags).
Indiana .....	Analysis fee..	\$2 and \$1 per 100 for tags.
Kentucky .....	Analysis fee..	\$15 and \$1 per 100 for tags.
Louisiana.....	Tax .....	50 cts. per ton.
Maryland .....	License.....	\$5 first 100 tons, \$2 for ea. add'l 100 tons.
Maine .....	License.....	\$50 first brand, \$15 each additional br'nd.
Massachusetts....	Analysis fee..	\$5 each ingredient.
Michigan .....	License.....	\$20 per brand.
Mississippi.....	Analysis fee..	\$20. " "
New Hampshire...	License.....	\$50. " "
New Jersey .....	Analysis fee..	\$15. " "
North Carolina...	Privilege tax.	\$500. " "
Ohio .....	License.....	\$50. " "
Pennsylvania .....	License.....	\$10 for 100 tons, \$20 for 100 to 500, and
Rhode Island.....	License.....	\$25. [ \$30 above 500 tons.
South Carolina....	Tax .....	25 cents per ton (for tags).
Tennessee .....	Tax .....	50 cents per ton.
Vermont .....	License.....	\$50.

\* Recent legislative enactments may have slightly modified the law in some States.

In a few of the States the number of analyses made for the past year are given, and so far as known they are given below :

	No. analysis.
Massachusetts - - - - -	110
Maine - - - - -	86
Connecticut - - - - -	291
New Jersey - - - - -	150
Pennsylvania† - - - - -	
North Carolina - - - - -	223
Georgia - - - - -	413
Alabama - - - - -	186

† The analyses of 226 substances are given in the report for 1886, but the total number of analyses made is above 400.

The tables just presented show that nearly every state using commercial fertilizers to any extent, except New York, require either a license to be taken out by the manufacturer or seller for the sale of commercial fertilizers, or that an analysis fee be deposited with the proper official.

In the South a tax is levied upon the fertilizer of 25 to 50 cents per ton, and in Georgia the tax amounts to more than \$100,000 annually. The analysis fee or license ranges from \$5 or more in Maryland to \$50 per brand in several of the states, while in North Carolina it is \$500.

While these other states give protection to the farmers against fraud in commercial fertilizers, and provide for their analysis, New York, whose farmers are expending fully \$3,000,000 annually for commercial fertilizers, are left to provide their own protection and take their chances of receiving what they pay for.

Fortunately for the farmer, the majority of the manufacturers of commercial fertilizers are sincere in their efforts to put upon the markets goods which shall be all that is claimed for them. There are those, however, who by using misleading terms in their analyses, terms with which the farmers are not all familiar, are no less guilty of intentional fraud than was the manufacturer of Mason's High Grade fertilizer which was analyzed in 1885 at the New York Agricultural Experiment Station and found to contain \$1.52 worth of fertilizing ingredients per ton, and yet this fertilizer was being sold at \$30 per ton to the farmers throughout this state. There are other fertilizers sold the present season in the state of New York which have fallen considerably below the guaranteed analysis.

The following statistics copied from the United States Census of 1880 will show the magnitude of this industry in several of the states. Only those are included, the sales of which aggregate over \$400,000 annually:

*Cash value of commercial fertilizers.*

Alabama	-	-	-	-	-	\$1,200,956
Connecticut	-	-	-	-	-	497,448
Delaware	-	-	-	-	-	467,228
Georgia	-	-	-	-	-	4,343,920
Maryland	-	-	-	-	-	2,838,465
Massachusetts	-	-	-	-	-	653,422
New Jersey	-	-	-	-	-	1,601,609
New York	-	-	-	-	-	2,715,477
North Carolina	-	-	-	-	-	2,111,767
Ohio	-	-	-	-	-	550,029
Pennsylvania	-	-	-	-	-	3,525,336
South Carolina	-	-	-	-	-	2,659,969
Virginia	-	-	-	-	-	2,137,283
						<hr/>
						\$25,305,909

The following Bill was introduced into the Assembly at the last session of the Legislature by the Hon. Mr. Maynard on the 15th of March, 1888, read twice and by unanimous consent ordered to a third reading and printed:

## AN ACT

TO PREVENT FRAUD IN THE MANUFACTURE AND SALE OF COMMERCIAL FERTILIZERS, AND TO PROVIDE FOR A CHEMICAL ANALYSIS OF THE SAME.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Before any commercial fertilizer or manure, the retail price of which is ten dollars or more per ton, is sold, offered or exposed for sale, the manufacturer, importer, or party who causes it to be sold or offered for sale within this State shall file with the Director of the New York Agricultural Experiment Station one certified copy of the certificate now required by section one of chapter two hundred and twenty-two of the laws of eighteen hundred and seventy-eight, to be affixed to each package of fertilizer or manure so offered for sale in this State, and shall deposit with said Director a sealed glass jar or bottle containing not less than one pound of the fertilizer or manure, accompanied by an affidavit that it is a fair average sample thereof; but only one certificate and affidavit need be filed, and but one sample deposited.

SEC. 2. The manufacturer, importer, agent or seller of any commercial fertilizer or manure, the retail price of which is ten dollars or more per ton, shall pay, on or before the first day of May annually, to the Director of the New York Agricultural Experiment Station, an analysis fee of ten dollars for each of the fertilizing ingredient contained or claimed to be contained in said fertilizer or manure; provided, that when the manufacturer, importer or other person shall have paid the fee herein required, no agent or seller be required to pay the fee named in this section. For any violation of this section the offender shall be liable to a penalty of two hundred dollars, to be sued for by the Director of the New York Agricultural Experiment Station, the recovery to go to the State.

SEC. 3. Every person in this State who sells or acts as local agent for the sale of any commercial fertilizer or manure, of whatever kind or price, shall, at the time of becoming such seller or agent, and annually thereafter, so long as he shall so act, report to the Director of the New York Agricultural Experiment Station his name, residence, postoffice address and the name and brand of said fertilizer or manure, with the name and address of the manufacturer, importer, or party from which such fertilizer or manure was obtained; and shall, on demand of the Director of the New York Agricultural Experiment Station, deliver to said Director a sample suitable for analysis, of any such fertilizer or manure then and there sold or offered for sale by such seller or agent. Any person violating the provisions of this section shall be liable to a penalty of ten dollars, to be recovered by action by any person to whom said fertilizer or manure shall be sold.

SEC. 4. Violations of Section One of this Act are misdemeanors, and on conviction the punishment shall be, for the first offence, a fine of not less than one hundred dollars; and for the second offence, a fine not less than two hundred dollars.

SEC. 5. The Director of the New York Agricultural Experiment Station shall pay the analysis fees received by him into the treasury of the state, and shall cause one or more analysis of each fertilizer or manure to be made and published annually, and shall mail at least one copy of such published analysis to each agent or seller of said fertilizer or manure, who shall have reported to him, as provided in Section Three of this Act. Said Director is hereby authorized, in person or by deputy, to take samples for analysis from any lot or package of fertilizer or manure which may be in possession of any agent or seller.

SEC. 6. This Act shall take effect on the first day of August, eighteen hundred and eighty-eight.

The above Act was amended so as to include ashes and to provide that only the excess of fees over the expenses incurred in carrying out the provisions of the Bill should be paid into the State Treasury.

A circular letter dated New York, April 5th, 1888, was signed by nearly every leading manufacturer and dealer in fertilizers doing business in this state, and sent to the members of the Senate and Assembly, earnestly protesting against the passage of the Bill which they characterized as "a tax which is unjust and a direct blow against the farming industry of this state." The protest closes by saying "We trust the enacting clause will be stricken out, and the Bill consigned to oblivion." It is noticeable that this protest in behalf of the farmers did not receive the signature of a single farmer. It will be seen that this Bill which received this earnest protest was entirely reasonable as compared with similar enactments which have received the sanction of neighboring states.

The farmers and their friends throughout the state should see to it that the next Legislature should speedily pass a bill such as, or similar to, the Maynard Bill, and thus protect their interests in this important matter of commercial fertilizers "so that our farmers may purchase these with the same confidence that they do sugar and nails and cloth."