

CHAPTER 38
SENATE BILL No. 113

AN ACT concerning agriculture; relating to soil amendment products; amending K.S.A. 2-2808 and K.S.A. 2004 Supp. 2-2805 and repealing the existing sections; also repealing K.S.A. 2004 Supp. 2-2806.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2004 Supp. 2-2805 is hereby amended to read as follows: 2-2805. Each soil amendment product shall be registered with the secretary before it is distributed in this state. Application for registration shall be submitted to the secretary, on a form prepared for that purpose, showing the information required on the label, as provided in K.S.A. 2-2804, and amendments thereto, except net weight of product. The registration fee shall be fixed by rules and regulations adopted by the secretary of agriculture for each product, except that such fee shall not exceed ~~\$50, or commencing July 1, 2002, and ending June 30, 2010, such fee shall not exceed \$60~~ \$100 for each product. The soil amendment product registration fee in effect on the day preceding the effective date of this act shall continue in effect until the secretary of agriculture adopts rules and regulations fixing a different fee therefor under this section. All registrations shall expire on December 31 of the year in which such soil amendment product is registered. The applicant shall submit with the application for registration a copy of the label and a copy of all advertisements, brochures, posters and television and radio announcements to be used in promoting the sale of the soil amendment.

Sec. 2. K.S.A. 2-2808 is hereby amended to read as follows: 2-2808. It shall be a violation of this act for any person to:

- (a) Distribute a soil amendment that is not registered with the secretary;
- (b) distribute a soil amendment that is not labeled;
- (c) distribute a soil amendment that is misbranded;
- (d) distribute a soil amendment that is adulterated; *or*
- (e) fail to comply with a stop sale, use or removal order; ~~or~~
- ~~(f) fail to file the tonnage report or pay the inspection fee.~~

Sec. 3. K.S.A. 2-2808 and K.S.A. 2004 Supp. 2-2805 and 2-2806 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved March 29, 2005.
