
Wisconsin Legislative Council

AMENDMENT MEMO



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Contact: Ethan Lauer, Senior Staff Attorney

2021 Assembly Bill 229

Assembly Amendment 1

2021 ASSEMBLY BILL 229

Assembly Bill 229 includes changes to certain requirements for distribution, analysis, and labeling fertilizer that is produced by converting manure into compost (“composted fertilizer”).

Under current law, fertilizer generally may not be distributed without a label containing the grade¹ and guaranteed analysis² of the fertilizer. [s. 94.64 (2) (a) 3. and 4., Stats.]

Assembly Bill 229 provides that the label of composted fertilizer is not required to contain a grade and a guaranteed analysis for each plant nutrient in the product. However, the bill provides that if the label of a composted fertilizer makes representations about the amount of plant nutrients or beneficial substances in the product, then the truthfulness of those representations must be substantiated by a typical analysis³ or other scientifically validated analytical method.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 removes these provisions in the bill, and creates new provisions regarding labeling and analysis requirements for composted fertilizer. Specifically, under the amendment, if the label of composted fertilizer includes a typical analysis of the plant nutrients in the product, the label is not required to include a grade or guaranteed analysis for a plant nutrient.

The amendment further provides that if the truthfulness of a representation made by a label about the amount of plant nutrients or beneficial substances contained in the composted fertilizer is substantiated by a typical analysis or other scientifically validated analytical method, those representations are not required to be substantiated by a guaranteed analysis.

BILL HISTORY

On February 8, 2022, the Assembly Committee on Agriculture unanimously introduced Assembly Amendment 1. The committee then unanimously recommended adoption of the amendment and passage of the bill, as amended.

EL:ksm

¹ “Grade” means the percentage guarantee of total nitrogen, available phosphorus or available phosphate, and soluble potassium or soluble potash, stated in that order. [s. 94.64 (1) (g), Stats.]

² “Guaranteed analysis” means the percentage of specified plant nutrients guaranteed or claimed to be present. [s. 94.64 (1) (h), Stats.]

³ The bill defines “typical analysis” as an analysis of contents that is based on the average amount of substances contained in the product. [See SEC. 10 of the bill, creating s. 94.65 (1) (fm), Stats.]