

Ag 28

STATE OF WISCONSIN)
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DEPARTMENT OF AGRICULTURE)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, Donald E. Wilkinson, Secretary of Agriculture, and custodian of the official records of the State of Wisconsin Department of Agriculture, do hereby certify that the annexed rules relating to liming materials, Wis. Adm. Code chapter Ag 28, were duly adopted by this department on June 15, 1970.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand at Madison, Wisconsin, this 15th day of June, 1970.


Secretary of Agriculture

Docket No. 873.

ORDER OF THE DEPARTMENT OF AGRICULTURE
ADOPTING RULES

Pursuant to authority vested in the Department of Agriculture by sections 93.07 (1) and 94.66, Wis. Stats., the Department of Agriculture hereby adopts rules as follows:

Chapter Ag 28 of the Wisconsin administrative code is adopted to read:

Chapter Ag 28

LIMING MATERIALS

Ag 28.01 Definitions. (1) "Grade" as used in section 94.66 (6) (a), Wis. Stats., means index zones as provided in these rules.

(2) "Neutralizing value" as used in section 94.66 (6) (c), Wis. Stats., means the calcium carbonate equivalent as defined in section 94.66 (6) (c), Wis. Stats., and is used in calculating the neutralizing index.

(3) "Index zones" mean the classification of liming materials, under these rules, into numerical ranges of neutralizing indices and constitute the grades for liming materials.

(4) "Official sample" means a sample of liming material taken by a representative of the department of agriculture and designated as official.

Ag 28.02 Index zones. The following index zones are established for the sale of liming materials under section 94.66, Wis. Stats.:

(1) 100 or more.

(2) 90 - 99.

- (3) 80 - 89.
- (4) 70 - 79.
- (5) 60 - 69.
- (6) 50 - 59.
- (7) 40 - 49.
- (8) less than 40.

Ag 28.03 Sale of liming materials. (1) Liming material, except marl or paper mill refuse lime, shall be sold and guaranteed by the producer or distributor on basis of the index zone of the material. The index zone guaranteed shall conform to the neutralizing index of the material as determined by test.

(2) In determining whether liming material is sold in compliance with section 94.66, Wis. Stats., an official sample of liming material may be drawn by the department from supplies sold, held for sale, or in process of sale or distribution.

(3) When the neutralizing index of liming material, based on 3 consecutive tests of official samples, falls below the index zone guaranteed, the material shall be considered in violation of section 94.66, Wis. Stats.

(4) Packaged liming material shall be labeled stating the name and address of the licensee, the index zone and the net weight.

Ag 28.04 Marl or paper mill refuse lime. (1) Marl or paper mill refuse lime shall be sold on basis of cubic yard equivalents of a ton, as prescribed in subsections (2) and (3).

(2) Two cubic yards of marl and one and one-half cubic yards of paper mill refuse lime shall each be equivalent to one ton of

liming material with an index zone of 60-69 when the calcium carbonate equivalent of the material is 70 per cent.

(3) When the calcium carbonate equivalent of the material is less than 70 per cent, the cubic yard quantity required to equal a ton shall be increased proportionately in accordance with the percentage by which the calcium carbonate equivalent is less than 70 per cent.

Ag 28.05 Sale by ton weight equivalent. (1) Each person distributing liming material by volume on a ton weight equivalent basis shall be responsible for the correct cubic yard capacity marking of all vehicles used to distribute liming material.

(2) Persons desiring authority to distribute liming material by volume rather than weight, where weighing facilities are not readily available, shall submit requests for approval in writing to the department with the following information:

(a) Name and address of applicant.

(b) Number of vehicles to be employed in hauling liming materials.

(c) Ownership of vehicles.

(d) Cubic yard capacity of each vehicle.

(e) Location of loading sites and location of scales closest to such loading sites.

(f) Business locations from which the vendor wishes to sell by ton weight equivalent.

(3) Unless otherwise specified in the notice of approval, all approvals for sale by volume shall expire on December 31 of each year. In the event of any change in vehicle usage or other data

specified under subsection (2) during the period for which approval was granted, the department shall be notified of such fact and a supplemental request for approval shall be submitted within 15 days after such change. All temporary replacement vehicles used shall be marked to show cubic yard capacity as required by section 94.66, Wis. Stats.

(4) The ton weight equivalent per cubic yard of each different liming material shall be determined by weighing one or more loads of known cubic volume of such material. The total weight is then divided by the cubic yards weighed to arrive at the ton weight equivalent per cubic yard.

The rules contained herein shall take effect August 1, 1970.

Dated: June 15, 1970.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE

By /s/ Donald E. Wilkinson
Secretary of Agriculture