**§743. Registration**

Each brand and grade of commercial fertilizer must be registered before being offered for sale, sold or distributed in this State. The application for registration must be submitted to the commissioner on forms furnished by the commissioner and must be accompanied by an annual fee of $125 per product. All registrations expire on December 31st or in a manner consistent with the provisions as to license expiration of the Maine Administrative Procedure Act, Title 5, section 10002, whichever is later. The commissioner may issue a registration for a one-year, 2-year or 3-year period. Registrations for a period in excess of one year may only be issued with the agreement of or at the request of the applicant. The fee for a 2-year registration is 2 times the annual fee. The fee for a 3-year registration is 3 times the annual fee. The commissioner may refuse to register or renew or may suspend or cancel registration for failure to comply with this subchapter or with rules adopted pursuant to this subchapter. This refusal, suspension or cancellation is considered rulemaking as that term is defined in the Maine Administrative Procedure Act, Title 5, chapter 375 and notice and opportunity for a hearing must be provided in a manner consistent with the Maine Administrative Procedure Act, Title 5, chapter 375. The application must include the following information: [PL 2015, c. 191, §2 (AMD).]

**1. Weight.**  The net weight;

**2. Brand and grade.**  The brand and grade;

**3. Analysis.**  The guaranteed analysis;

**4. Registrant's name and address.**  The name and address of the registrant; and

[PL 2001, c. 670, §2 (AMD).]

**5. Additional information.**  Additional information as required in rules adopted by the department.

[PL 2001, c. 670, §3 (NEW).]

Of the fee collected by the commissioner under this section, $100 must be deposited in the General Fund and $25 must be deposited in a dedicated, nonlapsing account established under section 765, subsection 2 and used for the purpose of administering and enforcing this subchapter and subchapter 5‑A. [PL 2015, c. 191, §2 (AMD).]

A distributor is not required to register any brand and grade of commercial fertilizer that is already registered under this subchapter by another person. [PL 2015, c. 191, §2 (AMD).]

The plant nutrient content of each and every brand and grade of commercial fertilizer must remain uniform for the period of registration.

The commissioner shall review annually the fertilizer inspection and sampling program established under this subchapter and report findings and any recommendations for changes to the program by February 1st annually to the joint standing committee of the Legislature having jurisdiction over agricultural matters, which after receiving the report may report out a bill to the Legislature to make adjustments to the program. [PL 2015, c. 191, §2 (NEW).]

SECTION HISTORY

PL 1977, c. 694, §§73,74 (AMD). PL 1979, c. 672, §§A22,23 (AMD). PL 1989, c. 888, §2 (AMD). PL 1997, c. 454, §2 (AMD). PL 2001, c. 670, §§1-3 (AMD). PL 2005, c. 12, §EEE1 (AMD). PL 2015, c. 191, §2 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.