New Mexico Department of Agriculture
Feed, Seed, and Fertilizer Section
MSC 3150
New Mexico State University
P.O. Box 30005
Las Cruces, NM 88003-8005
575-646-3107, fax: 575-646-5977

June 17, 2013

MEMORANDUM

TO: Fertilizer Industry
FROM: Tim Darden, Assistant Director
SUBJECT: Notice of Hearing

New Mexico Department of Agriculture (NMDA) will hold three (3) public hearings on the following rule:

- Amendment of 21.18.2 NMAC, which protects consumers of fertilizer and soil conditioner products by establishing standards for the labeling and sale of plant food products, under the New Mexico Fertilizer Act, Chapter 76, Article 11, Sections 1 through 20, New Mexico Statutes Annotated 1978.

- The proposed draft amendments to 21.18.2 NMAC respond to recently passed amendments to the New Mexico Fertilizer Act during this past legislative session. The Act had not had serious updates since 1975 and was in need of cleanup language to become more uniform in labeling requirements with surrounding states. The proposed rules provide for greater clarity and uniformity in labeling requirements for fertilizers and soil conditioners which should benefit those importing and exporting fertilizer and soil conditioner products. These rules include the addition of directions for use on fertilizer labels and bulk fertilizers and soil conditioners. This information is important for consumer application and safety as well as protection for manufacturers and distributors. This rule allows for greater flexibility in providing nutrient guarantees on labeling which in turn provides more information for consumers when applicable.

A hearing will be held in Roswell, New Mexico, at the Chaves County Extension Office, 200 East Chisum #4 (located in the Chaves County Health Department building), at 10:00 a.m. on Tuesday, July 9, 2013. A second hearing will be held in Albuquerque, New Mexico, at the NMSU Albuquerque Center, 4501 Indian School Road, NE, Suite 100, at 10:00 a.m. on Wednesday, July 10, 2013. A third hearing will be held in Las Cruces, New Mexico, at the NMDA conference room, 3190 South Espina Street (corner of Espina and Gregg), at 10:00 a.m., on Thursday, July 11, 2013.
Written statements in support or opposition and signed by the submitting person will be accepted if received prior to 5:00 p.m. on Thursday, July 11, 2013. Address written statements or inquiries to Tim Darden at NMDA, Feed, Seed and Fertilizer Section, MSC 3150, P.O. Box 30005, Las Cruces, New Mexico 88003-8005 or telephone (575) 646-3107.

A copy of the proposed rule is available on the NMDA website at http://www.nmda.nmsu.edu/fertilizer-hearing