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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-FIFTH  
SESSION**

**HOUSE FILE No. 3789**

March 4, 2008

Authored by Gardner

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs

1.1 A bill for an act  
1.2 relating to agriculture; requiring wholesalers of lawn fertilizer containing  
1.3 phosphorous to provide retail signage; amending Minnesota Statutes 2006,  
1.4 section 18C.60, by adding a subdivision; repealing Minnesota Statutes 2006,  
1.5 section 18C.60, subdivision 4.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2006, section 18C.60, is amended by adding a  
1.8 subdivision to read:

1.9 Subd. 5. **Retail signage.** (a) A wholesaler of lawn fertilizer containing phosphorous  
1.10 must provide to each retail establishment offering its product for sale a conspicuous sign  
1.11 stating the legal limitations on the fertilizer's use. "Conspicuous" means lettering in black  
1.12 arial typeface at least three-fourths of an inch in height against a bright contrasting  
1.13 background. The sign must state that it is illegal to apply lawn fertilizer containing  
1.14 phosphorous except when:

1.15 (1) establishing a new lawn with seed or sod;  
1.16 (2) a soil test or plant tissue test shows a need for phosphorous;  
1.17 (3) applied on a golf course by a trained person; or  
1.18 (4) applied on farms growing sod for sale.

1.19 (b) A retailer offering lawn fertilizer containing phosphorous must post the sign  
1.20 within four feet laterally of fertilizer display.

1.21 Sec. 2. **REPEALER.**

1.22 Minnesota Statutes 2006, section 18C.60, subdivision 4, is repealed.