

TITLE 22 AGRICULTURE AND HORTICULTURE
CHAPTER 22 SOIL AND PLANT AMENDMENTS

22-2203. DEFINITIONS. As used in this chapter:

(1) "Aged" means exposed to weathering and/or natural decay, such that the original material is significantly altered.

(2) "Biosolid(s)" means a primary organic solid material produced by wastewater treatment processes that can be beneficially recycled for its plant nutrient content and soil amending characteristics, as regulated under the code of federal regulations, 40 CFR 503, as amended.

(3) "Brand" means the term, designation, trademark, product name or other specific designation under which individual soil amendments or plant amendments are offered for sale.

(4) "Bulk" means in nonpackaged form or in packages of one (1) cubic yard or more.

(5) "Bulk density" means dry weight per unit of volume.

(6) "Compost" means a biologically stable material derived from the composting process.

(7) "Composting" means the biological decomposition of organic matter. It is accomplished by mixing and piling in such a way to promote aerobic and/or anaerobic decay. The process inhibits pathogens, viable weed seeds and odors.

(8) "Coproduct" means a chemical substance produced for a commercial purpose during the manufacture, processing, use or disposal of another chemical substance or mixture.

(9) "Customer formula mix" means a soil amendment or plant amendment which is prepared to the specifications of the final purchaser.

(10) "Deficiency" means the amount of ingredient found by analysis to be less than that guaranteed, which may result from a lack of ingredients or lack of uniformity.

(11) "Department" means the Idaho department of agriculture.

(12) "Director" means the director of the Idaho department of agriculture or his duly authorized representative.

(13) "Distribute" means to import, consign, manufacture, produce, compound, mix, or blend soil amendments or plant amendments, or to offer for sale, sell, barter or otherwise supply soil amendments and plant amendments in this state.

(14) "Distributor" means any person who distributes.

(15) "Horticultural growing media" means any substance or mixture of substances which is promoted as or is intended to function as a growing medium for the managed growth of horticultural crops in containers and shall be considered a plant amendment for the purposes of this chapter.

(16) "Investigational allowance" means an allowance for variations inherent in the taking, preparation and analysis of an official sample of soil amendments or plant amendments.

(17) "Label" means the display of all written, printed or graphic matter upon the immediate container or statement accompanying a soil amendment or plant amendment.

(18) "Labeling" means all written, printed or graphic matter, upon or accompanying any soil amendment or plant amendment, or advertisements, brochures, posters, or television or radio announcements used in promoting the sale of the soil amendment or plant amendment.

(19) "Manipulation" means actively processed or treated in any manner.

(20) "Manufacture" means to compound, produce, granulate, mix, blend, repackage or otherwise alter the composition of soil amendment or plant amendment materials.

(21) "Micronutrients" means boron (B); chlorine (Cl); cobalt (Co); copper (Cu); iron (Fe); manganese (Mn); molybdenum (Mo); sodium (Na); and zinc (Zn).

(22) "Minimum percentage" means that percent of plant or soil amending ingredient that must be present in a product before the product will be accepted for registration when mentioned in any form or manner.

(23) "Mulch" means any organic or inorganic soil surface cover used to help retain moisture longer in the soil by retarding evaporation, to discourage weed growth, to help maintain a constant temperature by insulating the soil, to discourage runoff and soil erosion by shielding the soil surface from water abrasion or to promote water absorption and retention.

(24) "Official sample" means any sample of soil amendment or plant amendment taken by the director or his agent.

(25) "Organic" refers only to naturally occurring substances generally recognized as the hydrogen compounds of carbon and their derivatives.

(26) "Organic waste-derived material" means grass clippings, leaves, weeds, bark, plantings, prunings, and other vegetative wastes, wood wastes from logging and milling operations and food wastes. "Organic waste-derived material" does not include products that contain biosolids as defined in subsection (2) of this section.

(27) "Other ingredients" means the nonsoil amending or nonplant amending ingredients present in soil amendments or plant amendments.

(28) "Percent" or "percentage" means by weight.

(29) "Person" means individual, partnership, association, firm or corporation.

(30) "Plant amendment" means any natural or synthetic substance applied to plants or seeds which is intended to improve germination, growth, yield, product quality, reproduction, flavor or other desirable characteristics of plants except commercial fertilizers, soil amendments, limes, unmanipulated animal manure and vegetable organic waste-derived materials, pesticides, mulch and other materials which may be exempted by rule.

(31) "Processed" means deliberately treated or manipulated to modify or transform physical, chemical, or biological characteristics of the natural state of a substance.

(32) "Raw" means in the natural state, and not prepared, modified, processed or manipulated for use.

(33) "Registrant" means the person(s) who registers soil amendments or plant amendments under this chapter.

(34) "Soil amendment" means:

(a) Any substance which is intended to improve the physical, chemical or biological characteristics of the soil to favor plant growth; or

(b) Any material which is represented as having a primary function of enhancing, changing or modifying soil microorganism reproduction, activity or population, or material which is represented as having the primary function of forming or stabilizing soil aggregates in soil to which it is to be applied and thereby improving the resistance of the soil to the

slaking action of water, increasing the soil's water and air permeability or in crusting, improving ease of cultivation of soil, or otherwise favorably modifying the structural or physical properties of soil; and

c) "Soil amendment" does not include commercial fertilizers, plant amendments, limes, gypsum, unmanipulated animal manures and vegetable organic waste-derived materials, pesticides, mulch and other material which may be exempted by rule of the department.

(35) "Ton" means a net weight of two thousand (2,000) pounds avoirdupois.

(36) "Verification of label claims" means explanatory information describing how the registrant determined the truthfulness and accuracy of the registrant's words or statements describing the product according to recognized standards.

(37) "Waste-derived soil amendment" or "waste-derived plant amendment" means any soil amendment or plant amendment that is derived from an industrial byproduct, coproduct or other material that would otherwise be disposed of if a market for reuse were not an option, but does not include any soil amendment or plant amendment derived from biosolids or biosolid products regulated under the code of federal regulations, 40 CFR 503, as amended.

(38) "Weight" means the weight of material as offered for sale.

(39) "Wood" means the hard fibrous material located beneath the bark of trees, which constitutes the greatest part of the stems of trees and shrubs.

When not specifically stated in this section or otherwise designated by the department in rule, the department will be guided by the definitions of general terms, fertilizer materials and soil and plant amendment materials as set forth in the Official Publication of the Association of American Plant Food Control Officials (AAPFCO), or the Merck Index, published by Merck & Co., Inc.