## DEPARTMENT OF FOOD AND AGRICULTURE

# FINAL REGULATION TEXT

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> DIVISION 4. PLANT INDUSTRY CHAPTER 1. CHEMISTRY SUBCHAPTER 1. FERTILIZING MATERIALS ARTICLE 1. STANDARDS AND LABELING ARTICLE 3. LICENSING ARTICLE 4. REGISTRATION ARTICLE 5. TONNAGE REPORTING ARTICLE 6. ADMINISTRATIVE PENALTIES ARTICLE 7. MILL ASSESSMENTS

### ARTICLE 1. STANDARDS AND LABELING

# § 2300.1. Definitions

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(i) The term "fraud" means a knowing misrepresentation of the truth or concealment of a material fact to induce another person to act to his or her detriment.

(j) The term "willful misconduct" means unlawful behavior voluntarily and intentionally.

(k) The term "gross negligence" means a conscious, voluntary act or omission in reckless disregard of a legal duty and of the consequences to another person.

Note: Authority cited: Sections 407 and 14502, Food and Agricultural Code. Reference: Sections 14601 and 14631, Food and Agricultural Code; and Section 6254.7 Government Code.

### § 2303. Labeling Requirements.

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(i) A guaranteed analysis using the following format, terminology, and order presented:

GUARANTEED ANALYSIS:

(1) Total Nitrogen (N).....%

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(v) The secretary may accept definitions and official fertilizer terms listed in the <u>most</u> <u>recent edition of the</u> <del>2017</del> Association of American Plant Food Control Officials official publication, No.70.

Note: Authority cited: Sections 407, 14502, 14601 and 14631, Food and Agricultural Code. Reference: Section 14631, Food and Agricultural Code.

### § 2304. Biotics.

All fertilizing materials for which claims are made relating to organisms, enzymes or organisms by-products are auxiliary soil and plant substances and are subject to the registration requirement of Section 14601 of the Food and Agricultural Code. In addition to the information required by Section 14601 of the Food and Agricultural Code, the label of each product which contains organisms, enzymes and other biologically active by-products of organisms for which claims are made shall state:

(a) Name of each species and strain as part of the statement of composition and name of each by-product, if claimed.

(b)(1) The percentage or number of viable units of <u>each</u>microorganism<del>s</del> per cubic centimeter or per gram for dry material.

(2) The concentration in percentage of <u>each</u>enzymes or other organism by-products claimed.

(c) The expiration date for use.

(d) Storage conditions.

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Note: Authority cited: Sections 407, 14502, 14601 and 14631, Food and Agricultural Code. Reference: Sections <del>14594,</del> 14601 and 14631, Food and Agricultural Code.

# § 2308. Packaged Soil Amendments.

(a) Packaged sSoil amendments shall be measured by volume(quarts/cubic feet). If other measurement information is shown, it shall be in parentheses following the volume statement, e.g. weight, cubic inches, fractions of cubic feet and metric conversions.

(b) No claim shall be made for chemical composition or nutritive constituents, except as provided in (d), (e), and (f) of this section.

(c) When a <del>packaged</del> soil amendment is labeled as a specific material, such as peat moss or leaf mold, the product shall consist of not less than 95 percent of that material.

(d) Organic products such as bark, wood chips, wood sawdust and peat or peat moss claimed to be nitrogen fortified, nitrogen stabilized, or with other terms to inform that the product contains nitrogen added to compensate for nitrogen likely to be taken from soil due to the amendments decomposition therein, are soil amendments when such additional nitrogen is 0.5 percent or less. Any claim for such nitrogen stabilization or fortification or similar term made on the label of a packaged soil amendment shall be accompanied by a statement of the total percent of nitrogen contained therein.

(e) Packaged sSoil amendments may contain wetting agents.

(1) The claim-term "wetting agent-added" can be included in the list of ingredients in lieu of made without guaranteeing the specific wetting agent or the percentage of such, but the chemical name of the wetting agent must be submitted at the time of registration along with the analytical method.

(f) Iron (Fe), may be guaranteed at less than 0.1 percent.

(g) If reference is made to the acidity or alkalinity of the product, or its influence on the soil, a range or specific pH must be guaranteed.

Note: Authority cited: Sections 407, 14502, 14601 and 14631, Food and Agricultural Code. Reference: Sections 14601 and 14631, Food and Agricultural Code.

## ARTICLE 2. SAMPLES

#### § 2315. Sampling Procedure.

Each official sample shall consist of a fertilizing material obtained in the following manner:

- (a) Packaged Dry Materials.
  - (1) Use a sampler that removes a core diagonally from end-to-end of the container.
  - (2) The lot and the sample size consisting of not less than one pound will be established in the following manner:
    - (A) If a lot to be sampled consists of more than 10 bags, select 10 bags and withdraw one core from each. If a lot contains less than 10 bags, withdraw 10 cores, but at least one core from each bag present. When taking more than one core from the same bag, insert the trier into the same hole as previously probed.

Lot Size Containers	Sample Size Containers
Less than 5	All
<del>6-15</del>	5
<del>16-30</del>	6
<del>31-60</del>	7
<del>61-100</del>	8
<del>101-200</del>	9
<del>201-300</del>	<del>10</del>
<del>301-500</del>	11
501 or more	<del>12</del>

(3) Small packages of dry fertilizer material in packages of 80 pounds or less, when not practical to sample according to subsection (2), shall be represented by one unbroken package which will constitute the official sample.

(4) Place all cores into sample container and send to the laboratory.

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(c) When sampling gypsum, the following procedure is accepatable:

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Note: Authority cited: Sections 407, 14502, and 14646, Food and Agricultural Code. Reference: Section 14606, Food and Agricultural Code.

# **ARTICLE 3. LICENSING**

## § 2318. Licensing.

In addition to the requirements found in Section 14591 of the Food and Agricultural Code, each licensee the following information is required to provide a place of business. If the secretary returns an incomplete application for a license to the applicant:

(a) A place of business. completed application resubmitted within 180 days from the date the secretary initially returned the application shall not require payment of a new licensing fee.

(b) A new licensing fee must accompany a completed application resubmitted more than 180 days from the date the secretary initially returned the application.

Note: Authority cited: Sections 407, 14502, and 14591, Food and Agricultural Code. Reference: Sections 14591, Food and Agricultural Code.

# **ARTICLE 6. ADMINISTRATIVE PENALTIES**

### § 2322. Administrative Penalty Guidelines.

In applying Section 14651.5 of the California Food and Agricultural Code, the secretary shall use the provisions of this section to determine the violation class and amount of the penalty.

(a) For the purposes of this section, violation classes are designated as <u>"Sserious,"</u> <u>"Mm</u>oderate," and <u>"Mm</u>inor" to establish maximum penalty amounts. Repeat violations may result in an escalation of violation class <u>and/or penalty</u>. <u>Escalation of penalties may apply for a revolving five-year period from the date of each unique section code violation</u>. Serious and moderate violations may be downgraded based upon the evidence, the factual circumstances, mitigating factors, and the cooperation of the violator.

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(b) Table <u>"A": Violations Matrix provides</u> is to be used to establish the level of severity of a particular violation and the corresponding penalty range for <u>"Sserious," <u>"Mm</u>oderate," and <u>"Mm</u>inor" violation classes. Except where specific violation parameters are provided, the violation column in Table <u>"A": Violations Matrix</u> is an abbreviated description of the corresponding section in <u>Division 7, Chapter 5, Article 10 of</u> the California Food and Agricultural Code, <u>Division 4. Plant Industry</u>, and Title 3, <u>Division 4, Chapter 1 of the California Code of RegulationsArticle</u> 10. Violations.</u>

	Table "	A": ∖	/iolat	ions	Matrix	
Section Code	Description of Violation	M in	M o d.	S er	Penalty	Complia nce Timefra me
1FAC § 14591  Unlicense d Manufactu rer	Manufacturer is not licensed to manufacture or distribute fertilizing materials in California from this business location.	X			Notice of warning / notice of violation for the first violation, with 30 days to comply, after which penalties for the second and subsequent violations would apply. \$500 for the second violation. \$250 for second violation, \$500 for third violation per license cycle. Further violations may be assessed up to \$1,000 for each subsequent violation.Sources: FAC §§ 14518, 14529, 14533, 14544, 14555, 14651.5 3 CCR §§ 2322(a)(2), 2322(a)(1)	30 days to comply <del>.</del>
2. FAC § 14601  Unregister ed Product	Product is not registered for sale in California.	X			Notice of warning / notice of violation for the first violation per product, with 30 days to comply, after which penalties for the second and subsequent violations would apply.\$500 for the second violation. \$250 for second violation per product, \$500 for third violation per license cycle. Further violations may be assessed up to\$1,000 for each subsequent violation.Sources: FAC §§ 14529, 14651.5 3 CCR §§ 2320, 2322(a)(2), 2322(a)(1)	<del>30</del> <del>days to</del> <del>comply</del> <del>.</del>

3FAC § 14611 Mill Assessme nts	Any licensee whose name appears on the label who sells or distributes fertilizing materials to unlicensed purchasers, shall pay to the <u>s</u> Secretary an assessment not to exceed two mills (\$0.002) per dollar of sales for all fertilizing materials.	X			For non-submittal of each quarterly mill assessment, the first violation shall receive a nNotice of warning / notice of violation with 30 days to comply, after which penalties for the second and subsequent violations would apply.Pending non-compliance, \$200 for non-submittal of each quarterly report.\$1,000 for each subsequent violation.Any delinquent payment is subject to a penalty of 15 percent of the delinquent payment.Sources: FAC §§ 14533, 14543, 14613 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1), 2326.2	<del>30</del> <del>days to</del> <del>comply</del> <del>.</del>
4FAC § 14623 Tonnage	The tonnage report shall be submitted to the <u>s</u> Secretary semiannually not later than January 31 and July 31 of each year. The <u>s</u> Secretary shall impose a penalty in the amount of two hundred dollars (\$200) on any person who does not submit the report on or before those dates. Any tonnage report that is more than 90 days past due is a cause for revocation of the license.		×	×	\$200 for non-submittal for each semi-annual report. <u>Sources: FAC § 14623</u> <u>3 CCR §§ 2321, 2322(a)(2),</u> <u>2322(a)(1)</u>	<del>30</del> <del>days to</del> <del>comply</del> <del>.</del>
5FAC § 14631 Unlabeled Product (Label shall accompan	Every lot, parcel or package of fertilizing material distributed into or within California shall be accompanied by a label.	X			Notice of warning <u>/ notice of</u> <u>violation</u> for <u>the</u> first violation <u>with 30 days to</u> <u>comply</u> , <u>after which</u> <u>penalties for the second</u> <u>and subsequent violations</u> <u>would apply</u> .	<del>30</del> <del>days to</del> <del>comply</del> <del>.</del>

				Further violations may be assessed up to-\$1,000- <u>for</u> the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. Sources: FAC <u>§</u> 14533, 14540, 14542, 14651.5 <u>3 CCR §§ 2322(a)(3),</u> 2322(a)(2), 2322(a)(1)	
14641 Access to records and premises	The <u>s</u> ecretary shall have free access at reasonable times to all records, premises, production processes, or conveyances that are used in the manufacture, transportation, importation, distribution, storage, or application of any fertilizing material.		X	Violations <u>are punishable</u> may be assessed <u>at up to</u> \$5,000. <u>Sources: FAC §§ 14533,</u> <u>14651.5</u> <u>3 CCR § 2322(a)(1)</u>	<del>30</del> <del>days to</del> <del>comply</del> <del>.</del>
14642 Sampling and access to facility	The <u>s</u> Secretary shall, at the times and to the extent necessary for the enforcement of this chapter, do all of the following: (a) Take samples of any substance. (b) Make analyses or examinations of any substance. (c) Conduct investigations concerning the use, sale, adulteration or misbranding of any substance. (d) Inspect the fertilizing material manufacturing facilities and take samples at various stages of production to verify label and labeling claims and production processes. (a) Any lot of fertilizing		x	Violations <u>are punishable</u> <u>may be assessed at up to</u> \$5,000. <u>Sources: FAC §§ 14533,</u> <u>14641, 14651.5</u> <u>3 CCR §§ 2313, 2315,</u> <u>2322(a)(1)</u> \$1,000 for the first-instance	30 days to comply <del>.</del>

14655	motorial for which a hold				violation 116EE/b) applies	davata
14655	material for which a hold				violation. 14655(b) applies	<del>days to</del>
	order or notice is issued shall				after that (misdemeanors).	comply
Movement	be held by the person having				\$2,500 for the second	-
of	control of the material and				violation. \$5,000 for each	
Quarantin	shall not be distributed or				subsequent violation. For	
e	moved except under the				violations that arise from	
	specific directions of the				<u>fraud, willful misconduct,</u>	
	<u>s</u> ecretary, pending final				gross negligence, or are a	
	disposition pursuant to this				threat to public safety, the	
	chapter. This does not				secretary shall assess a	
	prevent the person who has				penalty of \$5,000 for the	
	control of the material from				initial or any subsequent	
	inspecting any seized				violation.	
	material or from taking a					
	reasonable sample for				<u>Sources: FAC §§ 14529,</u>	
	evidence while in the				<u>14533, 14651.5</u>	
	presence of a person				<u>3 CCR § 2322(a)(1)</u>	
	designated by the <u>s</u> ecretary.					
<del>9.</del> FAC §	No person shall distribute			Х	\$1,000 for the first violation.	<del>30</del>
14681-(a)	misbranded fertilizing				\$2,500 for the second	<del>days to</del>
	materials. A fertilizing				violation. Violations may be	comply
Misbrande	material shall be deemed				<del>assessed up to </del> \$5 <u>,</u> 000 <u>for</u>	÷
d Product	misbranded if its label is <u>false</u>				each subsequent violation.	
(Misleadin	or misleading in any particular				For violations that arise	
g Label)	manner <u>way</u> .				<u>from fraud, willful</u>	
					<u>misconduct, gross</u>	
					negligence, or are a threat	
					to public safety, the	
					<u>secretary shall assess a</u>	
					penalty of \$5,000 for the	
					initial or any subsequent	
					<u>violation</u> .	
					<u>Sources: FAC §§ 14529,</u>	
					<u>14533, 14540, 14542,</u>	
					<u>14554, 14651.5</u>	
					<u>3 CCR § 2322(a)(1)</u>	
<del>10.</del> FAC §	No person shall distribute			Х	\$1,000 for the first violation.	<del>30</del>
14681-(b)	misbranded fertilizing				\$2,500 for the second	<del>days to</del>
	materials. A fertilizing				violation. Violations may be	comply
Misbrande	material shall be deemed				assessed up to \$5,000 for	- -
d Product	misbranded if it is distributed				each subsequent violation.	
(False	under the name of another				For violations that arise	
Distributio	fertilizing material.				from fraud, willful	
n)	-	1			misconduct, gross	
(False	under the name of another				For violations that arise	
1 1		1	1		misconduct aross	

				negligence, or are a threat	
				to public safety, the secretary shall assess a	
				penalty of \$5,000 for the initial or any subsequent	
				violation.	
				Sources: FAC §§ 14529,	
				<u>14533, 14540, 14542,</u> 14554, 14651.5	
	No novem chall distribute		V	<u>3 CCR § 2322(a)(1)</u>	20
<del>11.</del> FAC § 14681-(c)	No person shall distribute misbranded fertilizing		Х	\$1,000 for the first violation. \$2,500 for the second	<del>30</del> days to
	materials. A fertilizing			violation. Violations may be	comply
Misbrande d	material shall be deemed to be misbranded if it is not			assessed up to \$5,000 <u>for</u> each subsequent violation.	÷
Product	labeled as required by			For violations that arise	
(Not Labeled	regulations.			from fraud, willful misconduct, gross	
as				negligence, or are a threat	
Required)				to public safety, the secretary shall assess a	
				penalty of \$5,000 for the	
				initial or any subsequent	
				violation.	
				Sources: FAC §§ 14529,	
				<u>14533, 14540, 14542,</u> <u>14554, 14651.5</u>	
				<u>3 CCR § 2322(a)(1)</u>	
<del>12.</del> FAC § 14682-(a)	No person shall distribute an adulterated fertilizing material.		Х	\$1,000 for the first violation. \$2,500 for the second	<del>30</del> <del>days to</del>
	A fertilizing material shall be			violation. Violations may be	comply
Adulterated	deemed to be adulterated if it contains any deleterious or			assessed up to \$5,000- <u>for</u> each subsequent violation.	÷
Product (Harmful to	harmful ingredient in sufficient			For violations that arise from	
Plants)	amounts to render it injurious			fraud, willful misconduct,	
	to beneficial plant life when applied in accordance with			gross negligence, or are a threat to public safety, the	
	directions for use on the label,			secretary shall assess a	
	or if adequate warning statements or directions for			<u>penalty of \$5,000 for the</u> initial or any subsequent	
	use that may be necessary to			violation.	
	protect plant life are not			Sources EAC \$\$ 14500	
	indicated on the label.			<u>Sources: FAC §§ 14529,</u> 14533, 14540, 14542,	

		1		14554 14651 5	1
				<u>14554, 14651.5</u> <u>3 CCR § 2322(a)(1)</u>	
13FAC § 14682-(b)  Adulterate d Product (Compositi on)	No person shall distribute an adulterated fertilizing material. A fertilizing material shall be deemed adulterated if its composition falls below or differs from that which it is purported to possess by its labeling-(Composition variability associated with inherent properties of physical blending, feedstock, and sampling of fertilizing materials will be considered as minor violations).		x	\$1,000 for the first violation. \$2,500 for the second violation. Violations may be assessed up to \$5,000-for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.	<del>30</del> <del>days to</del> <del>comply</del> <del>.</del>
				<u>Sources: FAC §§ 14529,</u> <u>14533, 14540, 14542,</u> <u>14554, 14651.5</u> <u>3 CCR § 2322(a)(1)</u>	
<u>FAC §</u> <u>14682(c)</u> <u>Adulterate</u> <u>d Product</u> ( <u>Unwanted</u> <u>crop or</u> <u>weed</u> <u>seed</u> )	No person shall distribute an adulterated fertilizing material. A fertilizing material shall be deemed adulterated if it contains unwanted crop seed or weed seed.		X	\$1,000 for the first violation. \$2,500 for the second violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.	
				<u>Sources: FAC §§ 14529,</u> <u>14533, 14554, 14651.5</u> <u>3 CCR § 2322(a)(1)</u>	

14FAC § 14682-(d) — Adulterate d Product (Threat to Public <u>Safety</u> <del>Health</del> )	No person shall distribute an adulterated fertilizing material. A fertilizing material shall be deemed to be adulterated if it is a threat to public safety.		X	\$1,000 for the first violation. \$2,500 for the second violation. Violations may be assessed up to \$5,000- for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14529, 14533, 14554, 14651.5 3 CCR § 2322(a)(1)	30 days to comply <del>.</del>
15FAC § 14682-(e)  Adulterate d Product (Organic Input Material)	No person shall distribute an adulterated fertilizing material. A fertilizing material shall be deemed to be adulterated ilf an organic input materials contains ingredients that, in any type or amount, do not comply with the requirements of the National Organic Program NOP standards-(The term "ingredients" in the FAC Section 14682 (e) means any substance which is deliberately included in a fertilizing material).		X	\$1,000 for the first violation. \$2,500 for the second violation. Violations may be assessed up to \$5,000 and may result in misdemeanor for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14529, 14533, 14540, 14542, 14550.5, 14554, 14651.5 3 CCR § 2322(a)(1)	30 days to comply -
<del>163_</del> CCR § 2300-(e) — Zero Guarantee s	"Zero" guarantees shall not appear in the guaranteed analysis statement.	X		First violation shall receive a nNotice of warning / notice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies	<del>30</del> <del>days to</del> <del>comply</del> <del>.</del>

			as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14536, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	
<del>17.3</del> CCR § 2300-(f) — Brand Names	Brand names, trade names, and trademarks are prohibited in the derivation statement <u>or list of</u> <u>ingredients</u> .	X	First violation shall receive a nNotice of warning / notice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14527, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3),	30 days to comply -

				<u>2322(a)(2), 2322(a)(1)</u>	
183_CCR         § 2300-(g)            No State         of         California         Endorsem         ent	The statement "State of California approved" or other indication of official approval is prohibited in labeling and advertising unless allowed for organic input material.	X		First violation shall receive a nNotice of warning-for non-organic labels only / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.	"Howe Ver labelin g for produc ts to be used in the produc tion of organic food and crops is allowe d to display CDFA' s registe red organic input materi al logo.
<del>19. <u>3</u> CCR</del> § 2300-(h) — <u>Boron (B)</u>	A warning <u>or caution</u> statement shall appear on the label of any commercial fertilizer <u>or agricultural</u>	X		First violation shall receive <u>a n</u> Notice of warning / notice of violation with 30 days to comply. Pending	<del>30</del> days to comply -

Warning Statement	<u>mineral product which that</u> contains 0.1 percent or more <u>by weight of Boron in water</u> <u>soluble form</u> . This statement shall <u>includecarry</u> the word "WARNING," <del>or</del> "CAUTION," " <u>ATTENTION," or "NOTICE,"</u> conspicuously displayed, and shall state the crop(s) for which the fertilizing material is to be used <u>or and state that</u> the use <u>of the fertilizing</u> <u>material</u> on <u>any</u> crops other than those recommended <u>may result in serious injury to</u> <u>the crop(s)</u> .			non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3),	
20 <u>3</u> CCR § 2300-(i) — <u>Molybden</u> <u>um (</u> Mo) Warning Statement	Except for products labeled only for indoor or hydroponic use, aA warning or caution statement shall appear on the label of any commercial fertilizer or agricultural mineral product which that contains 0.001 percent or more by weight of molybdenum (Mo). This statement shall carry the word "WARNING," "CAUTION," "ATTENTION," or "NOTICE," conspicuously displayed, and the statement that the application of fertilizing materials containing molybdenum (Mo) may result in forage crops containing levels of molybdenum (Mo) which are toxic to ruminant animals.	X		2322(a)(2), 2322(a)(1) First violation shall receive <u>a n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to comply</u> Pending <u>non-compliance, For each</u> <u>subsequent violation, the</u> <u>violations matrix for NFAC §</u> 14681-(a) <u>and/or (c)</u> applies <u>as follows: \$1,000 for the</u> <u>second violation. \$2,500 for</u> the third violation. \$5,000 <u>for each subsequent</u> <u>violation. For violations that</u> <u>arise from fraud, willful</u> <u>misconduct, gross</u> <u>negligence, or are a threat</u> <u>to public safety, the</u> <u>secretary shall assess a</u> <u>penalty of \$5,000 for the</u> <u>initial or any subsequent</u> <u>violation</u> . <u>Sources: FAC §§ 14533,</u>	30 days to comply -

		-	1	1
				<u>14540, 14542, 14651.5,</u>
				<u>14681</u>
				<u>3 CCR §§ 2322(a)(3),</u>
				2322(a)(2), 2322(a)(1)
3 CCR §	When the name of a fertilizing	Х		First violation shall receive
2300(j)	material ingredient appears			a notice of warning / notice
Ingredient	on the label, that ingredient			of violation with 30 days to
Outside	shall be represented in the			comply. For each
Guarantee	guaranteed analysis			subsequent violation, the
d Analysis	-			
<u>u Analysis</u>	statement and derivation			violations matrix for FAC §
	statement, or statement of			14681(a) and/or (c) applies
	composition or list of			as follows: \$1,000 for the
	ingredients.			second violation. \$2,500 for
				the third violation. \$5,000
				for each subsequent
				violation. For violations that
				arise from fraud, willful
				misconduct, gross
				negligence, or are a threat
				to public safety, the
				secretary shall assess a
				penalty of \$5,000 for the
				initial or any subsequent
				violation.
				Sources: FAC §§ 14527,
				14533, 14536, 14540,
				14542, 14651.5, 14681
				$\frac{3 \text{ CCR } \$\$ 2322(a)(3)}{2222(a)(3)}$
				<u>2322(a)(2), 2322(a)(1)</u>
<u>3 CCR §</u>	For registered fertilizing	<u>X</u>		First violation shall receive
<u>2300(k)(2)</u>	materials, the manufacturer			a notice of warning / notice
<u>Product</u>	shall notify the secretary of			of violation with 30 days to
<u>Compositi</u>	any changes in the			comply, after which
<u>on</u>	information on file regarding			penalties for the second
Change	the product's composition			and subsequent violations
Notificatio	within 30 days of the change.			would apply. \$500 for the
<u>n</u>				second violation. \$1,000 for
-				each subsequent violation.
				Sources: FAC §§ 14533,
				14544, 14651.5, 14681
				<u>3 CCR §§ 2322(a)(3),</u>
				<u>3322(a)(2), 2322(a)(1)</u>
30008	The manufacturer shall	V		
<u>3 CCR §</u>		<u>X</u>		First violation shall receive
<u>2300(l)</u>	submit the required			a notice of warning / notice

		1	r —			
<u>Disclosure</u>	information regarding the				of violation with 30 days to	
of Product	composition of fertilizing				<u>comply, after which</u>	
Compositi	materials.				penalties for the second	
on					and subsequent violations	
					would apply. \$500 for the	
					second violation. \$1,000	
					for each subsequent	
					violation.	
					Sources: FAC §§ 14533,	
					<u>14544, 14651.5, 14681</u>	
					<u>3 CCR §§ 2300(b), 2300(k),</u>	
					<u>2322(a)(3), 2322(a)(2),</u>	
					<u>2322(a)(1)</u>	
<u>3 CCR §</u>	When any series of numerals	X			First violation shall receive	
2301	are used in labeling of or in				a notice of warning / notice	
Use of	advertising to describe the				of violation with 30 days to	
Numerals	formula or analysis, or in				comply. For each	
to	connection with the name,				subsequent violation, the	
Describe	brand, or trademark, such				violations matrix for FAC §	
<u>Guarantee</u>	numerals shall be arranged				14681(a) and/or (c) applies	
<u>d Analysis</u>	so that the first will be the				as follows: \$1,000 for the	
	guaranteed percentage of				second violation. \$2,500 for	
	nitrogen; the second, the				the third violation. \$5,000	
	guaranteed percentage of				for each subsequent	
	available phosphoric acid;				violation. For violations that	
	and the third, the guaranteed				arise from fraud, willful	
	percentage of soluble potash.				misconduct, gross	
	The guaranteed percentages				negligence, or are a threat	
	shall be consistent with the				to public safety, the	
					secretary shall assess a	
	guaranteed analysis.					
					penalty of \$5,000 for the	
					initial or any subsequent	
					violation.	
					<u>Sources: FAC §§ 14536,</u>	
					<u>14651.5, 14681</u>	
					<u>3 CCR §§ 2322(a)(3),</u>	
					<u>2322(a)(2), 2322(a)(1)</u>	
<u>21. 3 </u> CCR	Inorganic commercial fertilizer		X	X	Violations shall be	<del>30</del>
§ 2302-(a)	and agricultural minerals				assessed up to \$1,000 per	<del>days to</del>
-	percentwith iron, manganese,				product. for the first	comply
Heavy	phosphates, or zinc shall not				violation. \$2,500 for the	- ' <i>`</i>
Metals	exceed the concentrations of				second violation. \$5,000 for	
(As, Cd,	non-nutrient metals-according				each subsequent violation.	
Pb)	to the California Code of				For violations that arise	
ruj					I UI VIUIALIUIIS LIIAL ALISE	

Violation	Regulations.				from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14522, 14651.5, 14682 3 CCR § 2322(a)(1)	
22. <u>3</u> CCR § 2302(a)(4) <u>-(5)–</u> Heavy Metals Violation (Specialty Fertilizer)	Specialty fertilizers percentwith iron, manganese, phosphates, or zinc shall not exceed the concentrations of non-nutrient metals.		×	X	Violations shall be assessed up to \$1,000 per product. for the first violation. \$2,500 for the second violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14563, 14651.5, 14682 3 CCR § 2322(a)(1)	<del>30</del> <del>days to</del> <del>comply</del> <del>.</del>
3 CCR § 2303(a) Product Name	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the product name.	X			First violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat	

		1	I I I		
				to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533,	
				<u>14540, 14542, 14651.5,</u> <u>14681</u> <u>3 CCR §§ 2322(a)(3),</u> 2322(a)(2), 2322(a)(1)	
23. <u>3</u> CCR § 2303 (b)(1) Net Weight (Dry)	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the nNet weight of dry materials (not required for soil amendments). shall appear on the label-US and metric units are required on dry materials, except those distributed with a weight certificate.	X		First violation shall receive a <u>n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to complyPending</u> non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14651.5, <u>14681</u> <u>3 CCR §§ 2322(a)(3),</u> 2322(a)(2), 2322(a)(1)	30 days to comply ₹
24 <u>3</u> CCR § 2303-(b) (2) Volume <del>(For PSAs</del> & <del>Specialty</del> <del>Fert)</del>	The label information <u>for</u> <u>fertilizing materials required</u> <u>by Section 14631 of the Food</u> <u>and Agricultural Code</u> shall include the volume <u>offor</u> <u>packaged organic input</u> <u>material bulk</u> soil amendments, <u>packaged soil</u>	X		First violation shall receive <u>a n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to comply</u> . Pending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies	30 days to comply <del>.</del>

<del>(Liquid)</del>	amendments, and liquid materials specialty fertilizer. US and metric units are required on organic input material bulk soil amendments, packaged soil amendments, and liquid materials, except those distributed with a weight certificate.		as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681	
25.3 CCR § 2303-(b) (3)— Density and Temperatu re (Liquid Bulk)	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the density (pounds per gallon at 68 degrees Fahrenheit), for bulk liquids fertilizer only.	X	3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)First violation shall receive a nNotice of warning / notice of violation with 30 days to complyPending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	30 days to comply ⊤

26 <u>3</u> CCR § 2303-(c) — Grade (Commerc ial	The label <u>information for</u> <u>fertilizing materials required</u> <u>by Section 14631 of the Food</u> <u>and Agricultural Code</u> shall include the grade <u>(for</u> commercial fertilizer labels	X	First violation shall receive <u>a n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to comply</u> . Pending non-compliance, For each subsequent violation, the	<del>30</del> <del>days to comply</del> <del>.</del>
Fert <u>ilizer</u> <u>Labels</u> )	only).		violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.	
			<u>Sources: FAC §§ 14533,</u> <u>14535 14540, 14542,</u> <u>14651.5, 14681</u> <u>3 CCR §§ 2322(a)(3),</u> <u>2322(a)(2), 2322(a)(1)</u>	
27. <u>3</u> CCR § 2303-(d) — Licensee's Name and Address on Label	The label <u>information for</u> <u>fertilizing materials required</u> <u>by Section 14631 of the Food</u> <u>and Agricultural Code</u> shall include the licensee's name and address.	X	First violation shall receive <u>a n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to comply</u> Pending <u>non-compliance, For each</u> <u>subsequent violation, the</u> <u>violations matrix for FAC §</u> 14681-(a) <u>and/or (c)</u> applies <u>as follows: \$1,000 for the</u> <u>second violation. \$2,500 for</u> <u>the third violation. \$5,000</u> <u>for each subsequent</u> <u>violation. For violations that</u> <u>arise from fraud, willful</u> <u>misconduct, gross</u> <u>negligence, or are a threat</u> <u>to public safety, the</u> <u>secretary shall assess a</u> <u>penalty of \$5,000 for the</u>	30 days to comply <del>.</del>

28-3.CCR § 2303-(e)     The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the Purpose of the product must be stated on the sbeeiatty Fert)     X     Erist violation shal receive a inNotice of warning / notice of violation with 30 days to comply. Pending days to comply. Pending days to comply. Pending and specialty fertilizers).     30       28-3.CCR § 2303-(e)     The label information for the third violation shal receive a inNotice of violation with 30 non-compliance, For each product must be stated on the substances, packaged and specialty fertilizers).     X     Erist violation shal receive a inNotice of violation with 30 days to comply. Pending days to comply. Pending days to comply. Pending substances, packaged as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation.     30       29-3.CCR § 2303-(f)     The label information for fertilizing materials required by Section 14631 of the Food and Agricultural minerals, packaged soil amendments, and specialty fertilizers).     X     Eist violation shal arise from fraud, willful misconduct, gross penalty of \$5,000 for the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.     30       29-3.CCR § 2203-(f)     The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the dDirections for use (for auxiliary soil and ASPS, Plant substances, packaged agricultural minerals, packaged soil amendments as follows.     X     Erist violation shal receive an Avotice of violation, the violation.     30       ASPS, Pack-& specialty packaged soil amendments as follows.     X     Erist violat
28-3.CCR § 2303-(e)     The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the pPurpose of the product must be stated on the & sbeeialty Fert)     X     First violation shall receive a nNotice of violation with 30 days to comply. Pending non-compliance, For each subsqueet, for auxiliary soil & plant subsqueet, and/or (c) applies agricultural minerals, packaged soil amendments, and specialty fertilizers).     30       29-3 CCR § 2303-(f)     The label information for fertilizing materials required by Section 14631 of the Food and Agricultural code shall include the pPurpose of the product must be stated on the subsqueet, pockaged agricultural minerals, packaged soil amendments, and specialty fertilizers).     X     First violation, shall receive a nNotice of violation, S5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.     30       29-3 CCR fertilizing materials required for Use for Use for Use for Use for Use for Use for Use packaged soil amendments, and Agricultural Code shall include the dPirections for substances, packaged agricultural minerals, packaged soil amendments     X     First violation shall receive anNotice of warning / non-compliance, for each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies agricultural minerals, packaged soil amendments     30
28-3 CCR § 2303-(e)     The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the pPurpose of the product must be stated on the & specialty     X     First violation shall receive a nNotice of warning/ days to comply. Pending non-compliance,-For each subsequent violation, the violations matrix for FAC § scond violation. \$5,000 for each subsequent violation. \$2,500 for the third violation stati arise form fraud, willful misconduct, gross nealigence, or are a threat to public safety. the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. \$2222(a)(2), 2322(a)(2), 2322(a)(2), 2322(a)(2), 232(a)(2), 2322(a)(2), 232(a)(2), 2322(a)(2), 2322(a)(2), 232(a)(2), 232(a)(2), 232(a)(2), 232(a)(2), 232(
28-3 CCR § 2303-(e)     The label information for fertilizing materials required py Section 14631 of the Food and Agricultural Code shall include the pPurpose of the product must be stated on the & specialty     X     First violation shall receive a nNotice of warning/ and Agricultural Code shall include the pPurpose of the product must be stated on the agricultural minerals, packaged soil amendments, and specialty fertilizers).     X     First violation shall receive a nNotice of warning/ days to comply. Pending non-compliance,-For each subsequent violation, the violation. S5.000 for each subsequent violation. S5.000 for each subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3. CCR §§ 2322(a)(3), 2322(a)(1)     90 days to comply       29-3.CCR § 2303(f) - Directions for Use (For use (for auxiliary soil and px Section 14631 of the Food and Agricultural Code shall include the dDirections for use (for auxiliary soil and particulation shall include the dDirections for use (for auxiliary soil and Specially packaged soil amendments     X     Einst violation shall receive a nNotice of warning/ an Agricultural minerals, solones; \$1,000 for the
28-3 CCR § 2303-(e)     The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the pPurpose of the product must be stated on the & specialty     X     First violation shall receive a nNotice of warning/ days to comply. Pending non-compliance,-For each subsequent violation, the violations matrix for FAC § scond violation. \$5,000 for each subsequent violation. \$2,500 for the third violation stati arise form fraud, willful misconduct, gross nealigence, or are a threat to public safety. the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. \$2222(a)(2), 2322(a)(2), 2322(a)(2), 2322(a)(2), 232(a)(2), 2322(a)(2), 232(a)(2), 2322(a)(2), 2322(a)(2), 232(a)(2), 232(a)(2), 232(a)(2), 232(a)(2), 232(
28-3 CCR     The label information for fertilizing materials required by Section 14631 of the Food Purpose     X     First violation shall receive a nAotice of warning j notice of violation with 30 days to and Agricultural Code shall include the pPurpose of the product must be stated on the a distances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).     X     First violation shall receive a nAotice of warning j notice of violation with 30 days to comply. Pending non-compliance. For each substances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).     30 days to agricultural minerals, packaged soil amendments, and specialty fertilizers).     30 days to agricultural minerals, packaged soil amendments, and specialty fertilizers).     30 days to comply. Pending non-compliance. For each subsequent violations state arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5.000 for the initial or any subsequent violation.       29-3 CCR § 2303(f) - Directions for Use for Use for use (for auxiliary soil and Agrees, packaged soil amendments and Agricultural Code shall include the dDirections for tor Use for auxiliary soil and Agrees, packaged soil amendments     X     Eist violation shall receive a nNotice of warning j an Notice of warning j and Agricultural Code shall include the dDirections for use (for auxiliary soil and Agrees, agricultural minerals, packaged soil amendments     X
28-3 CCR     The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the pPurpose of the product must be stated on the abe/ for auxiliary soil & plant substances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).     X     X     First violation shall receive a nNotice of violation with 30 days to complyPending non-compliance,-For each subsequent violation, the violation smatrix for FAC § substances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).     30       29-3 CCR     The label information for fertilizing materials required by Section 14631 of the Food agricultural minerals, packaged soil amendments, and specialty fertilizers).     X     X     Subsequent violation, the violation, SL000 for the third violation, SL000 for the third violation, SL000 for the third violation, SL000 for the third violation, SL000 for the secretary shall assess a penalty of \$5,000 for the secretary shall receive a nNotice of violation with 30 days to comply-pending subsequent violation, the violations matrix for FAC § secretary shall receive as follows: \$1,000 for the
28-3 CCR     The label information for § 2303-(e)     X     First violation shall receive a nNotice of warning / an Agricultural Code shall by Section 14631 of the Food and Agricultural Code shall include the pPurpose of the product must be stated on the abel (for auxiliary soil & plant substances, packaged agricultural minerals, and specialty fertilizers).     X     First violation shall receive a nNotice of warning / days to comply. Pending non-compliance, For each substances, packaged agricultural minerals, and specialty fertilizers).     30       Fert)     substances, packaged agricultural minerals, and specialty fertilizers).     14681-(a) and/or (c) applies as follows: \$1,000 for the second violation, \$2,500 for the third violation, \$2,500 for the third violation, \$2,000 for each subsequent violation. For violation sthat arise from fraud, wilful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.       29-3 CCR § 2303-(f)     The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the dPirectons for use (for auxiliary soil and plant substances, packaged agricultural minerals, specialty     X     Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(3), 2322(a)(2), 2322(a)(b), 2322(a)(2), 2322(a)(b), 2322(a)(b), 2322(a)(b), 2322(a)(b), 2322(a)(b), 2322(a)(b), 2322(a)(b), 2322(a)(b), 2322(a)(
28-3_CCR       The label information for § 2303-(e)       X       First violation shall receive a nNotice of warning/ and Agricultural Code shall and Agricultural Code shall and Agricultural Code shall and Agricultural Code shall pooluct must be stated on the kabel (for auxiliary soil & plant substances, packaged agricultural minerals, and specialty fertilizers).       First violation shall receive a nNotice of warning/ days to complyPending nen-compliance, For each subsequent violation, the violations matrix for FAC § substances, packaged agricultural minerals, and specialty fertilizers).       30         Purpose       The label information for for each subsequent violation. S2,500 for the third violation. S2,500 for the third violation. S5,000 for each subsequent violation. S2,500 for the third violation. S5,000 for each subsequent violation. S2,500 for the third violation. S1,000 for the initial or any subsequent violation.         29–3_CCR 5 2303-(f)       The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall       X       Sources: FAC § 14533, 14540, 14542, 14651.5, 14681       30         29–3_CCR 5 2303-(f)       The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall       X       First violation shall receive a nNotice of violation shall receive and Agricultural Code shall agricultural more shall include the dPirections for use (for auxi
§ 2303-(e)       fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the pPurpose of the product must be stated on the abel (for auxiliary soil & plant substances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).       a nNotice of warning / notice of violation with 30 days to comply. Pending ron-compliance, For each substances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).       days to agricultural minerals, packaged soil amendments, and specialty fertilizers).       days to comply. Pending to ubits after (a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,5000 for each subsequent violation.       days to comply. Pending to ubits after (a) and/or (c) applies as follows: \$1,000 for the initial or any subsequent violation.         29–3 CCR § 2303-(f)       The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the dPirections for use (for auxiliary soil and ASPS, packaged soil amendments       X       First violation shall receive an Aforiculton with 30 days to comply. Pending to use (for auxiliary soil and parcultural minerals, specially       30
Purpose Statement       and Agricultural Code shall include the pPurpose of the poduct must be stated on the label (for auxiliary soil & plant subsaquent violation, the label (for auxiliary soil & plant subsaquent violation, factor applies agricultural minerals, and specialty fertilizers).       days to comply, -Pending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation, \$2,500 for the third violation, \$2,000 for the secretary shall assess a penalty of \$5,000 for the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         29-3 CCR § 2303-(f)       The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall of Use (For the substances, packaged sincultural code shall include the dDirections for (For the substances, packaged specialty       X       First violation with 30 an Notice of warning / notice of violation with 30 days to comply, -Pending notice of violation in the subsequent violation, the violation.       30 ad anNotice of warning / days to comply, -Pending notice of violation the violation matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the
Purpose Statement       and Agricultural Code shall include the pPurpose of the product must be stated on the label (for auxiliary soil & plant subsaquent violation, the label (for auxiliary soil & plant subsaquent violation, for C, S and specialty fertilizers).       days to complyPending non-compliance,-For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the third violation. \$2,000 for the second violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety. the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         29-3 CCR § 2303-(f)       The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the dDirections for (For use (for auxiliary soil and ASPS, plant substances, packaged significant and agricultural minerals, specialty       X       Eist violation, the violation. For violation that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety. the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.
Statement (For PSAs       include the pPurpose of the product must be stated on the label (for auxiliary soil & plant substances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).       inon-compliance, -For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation stat arise form fraud, willful misconduct, gross pecialty of \$5,000 for the initial or any subsequent violation.         29-3 CCR § 2303-(f)       The label information for fertilizing materials required by Section 14631 of the Food include the dDirections for use (for auxiliary soil and ASPS, plant substances, packaged sollamendments       X       First violation shall receive a nNotice of warning_/ days to comply_Pending violation, the violation, the violation, the violation, the violation, the violation, the violation, the violation, the       30
(For PSAs       product musit be stated on the label (for auxiliary soil & plant)       subsequent violation, the violations matrix for FAC §         Specialty       substances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).       14681-(a) and/or (c) applies as follows: \$1,000 for the second violation, \$2,500 for the third violation, \$2,500 for the the third violation. S0 (c) applies arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         29-3 CCR       The label information for fertilizing materials required by Section 14631 of the Food Directions and Agricultural Code shall for Use (for auxiliary soil and ASPS, plant substances, packaged soil amendments       X       Entry of violation shall receive and Agricultural Code shall for Use (for auxiliary soil and ASPS, plant substances, packaged soil amendments       30         PSA+S       agricultural minerals, packaged soil amendments       subsequent violation, the violation that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         29-3 CCR       The label information for for for the subsequent violation shall receive a nNotice of warning / days to comply. Pending notice of violation with 30 non-compliance, For each subsequent violation, the violations matrix for FAC_S 14681-(a) and/or (c) applies as follows: \$1,000 for the
&       iabel (for auxiliary soil & plant substances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).       violations matrix for FAC_§ 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation, \$2,500 for the third violation that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         293.CCR § 2303-(f)       The label information for fertilizing materials required by Section 14631 of the Food for Use for Use for Use for Use for Use for use (for auxiliary soil and AsPS, plant substances, packaged agricultural minerals, specialty       X       Eirst violation shall receive a nNotice of violation with 30 eompty violations matrix for FAC_§ 14681-(a) and/or (c) applies as follows: \$1,000 for the
Speciality Fort)substances, packaged agricultural minerals, packaged soil amendments, and specialty fertilizers).14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation \$4,5000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.29-3 CCR § 2303-(f)The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall for Use include the dDirections for (For use (for auxiliary soil and ASPS, plant substances, packaged SpecialtyXEirst violation shall receive a nNotice of violation with 30 days to complyPending - violations matrix for FAC § as follows: \$1,000 for the30 days to complyPending -
Fert)       agricultural minerals, packaged soil amendments, and specialty fertilizers).       as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the third violation. \$2,500 for the third violation. \$2,500 for the third violation. Solution for each subsequent         violation.       For violation stat arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         29-5 CCR § 2303-(f)       The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall for Use for Use for Use for use (for auxiliary soil and ASPS, plant substances, packaged Specialty       X       Eirst violation shall receive a nAlotice of warning/ days to complyPending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the       30
packaged soil amendments, and specialty fertilizers).second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.293 CCR § 2303-(f)The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall for Use (For use (for auxiliary soil and ASPS, plant substances, packaged SpecialtyXSecond violation. \$2,500 for the third violation. \$5,000 for each subsequent violation.293 CCR § 2303-(f)The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall for Use (For plant substances, packaged SpecialtyXSecond violation. \$2,500 for the third violation. \$2,500 for the third violation. \$2,500 for the third violation \$5,000 for each subsequent violation.30293 CCR § 2303-(f)The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include the dDirections for (For use (for auxiliary soil and ASPS, plant substances, packaged spackaged soil amendmentsXSecond violation with 30 spackaged sa follows: \$1,000 for the3041681-(a) and/or (c) applies as follows: \$1,000 for theSecond violation with follows: \$1,000 for the30
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(For ASPS, PSAs & Specialtyuse (for auxiliary soil and plant substances, packaged agricultural minerals, packaged soil amendmentssubsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the
ASPS, PSAs & agricultural minerals, packaged soil amendmentsplant substances, packaged packaged soil amendmentsviolations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the
PSAs & Specialtyagricultural minerals, packaged soil amendments14681-(a) and/or (c) applies as follows: \$1,000 for the
Specialty         packaged soil amendments         as follows: \$1,000 for the
Fert)   and specialty fertilizers only).       <u>second violation. \$2,500 for</u>
the third violation. \$5,000

			for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	
<del>30.</del> <u>3</u> CCR § 2303-(g) - Non Plant Food Ingredient Statement - <del>(For</del> ASPS)	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include t∓he statement "NONPLANT FOOD INGREDIENT" printed in capital letters (for auxiliary soil and plant substance products)-must be included.	X	First violation shall receive a nNotice of warning / notice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3),	30 days to comply -
<del>31<u>3</u> CCR</del> § 2303-(h) -	The label information for fertilizing materials required by Section 14631 of the Food	X	2322(a)(2), 2322(a)(1) First violation shall receive <u>a n</u> Notice of warning / <u>notice of violation with 30</u>	30 days to comply

Statement of Compositi on <del>(For</del> ASPS)	and Agricultural Code shall include aA statement of composition showing the percent of each active ingredient, which is the agent in the product primarily responsible for the intended effects (for auxiliary soil and plant substances). The statement shall follow the required format.		days to complyPending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2300.1(b), 2322(a)(3), 2322(a)(2), 2322(a)(1)
32.3 CCR § 2303-(i) Guarantee d Analysis on Label	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include aA guaranteed analysis was not stated on the label or was in an_using the incorrect format, terminology and order.	X	First violation shall receive a nNotice of warning / notice of violation with 30 days to complyPending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.30 days to comply 

<del>33. CCR §</del> <del>2303 (i)(1)</del> - Forms of Nitrogen	The forms of nitrogen are not stated on the label.	×	<u>Sources: FAC §§ 14533,</u> <u>14536, 14540, 14542,</u> <u>14651.5, 14681</u> <u>3 CCR §§ 2322(a)(3),</u> <u>2322(a)(2), 2322(a)(1)</u> <u>Notice of warning.</u> <u>Pending non-compliance,</u> <u>FAC § 14681 (a) applies.</u>	30 days to comply -
34 <u>3</u> CCR § 2303-(i) (2) Secondary and Micronutri ents	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include a guaranteed analysis of <u>s</u> Secondary <del>or</del> <u>and</u> micronutrients <del>,</del> (if claimed) <del>,</del> <del>must be guaranteed using the</del> <u>correct format</u> at or above the established minimum values.	X	First violation shall receive a nNotice of warning / notice of violation with 30 days to complyPending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14546, 14559, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	30 days to comply ⊤
3 CCR § 2303(i)(3) Liming Material Guarantee §	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include a guaranteed analysis of liming material guarantees (if claimed) using the correct format at or above the established minimum values.	X	First violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for	

			the third violation. \$5,000for each subsequentviolation. For violations thatarise from fraud, willfulmisconduct, grossnegligence, or are a threatto public safety, thesecretary shall assess apenalty of \$5,000 for theinitial or any subsequentviolation.Sources: FAC §§ 14533,14540, 14542, 14651.5,146813 CCR §§ 2322(a)(3),2322(a)(2), 2322(a)(1)
3 CCR § 2303(i)(4) Gypsum Guarantee §	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include a guaranteed analysis of gypsum guarantees (if claimed) using the correct format.	X	First violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14537, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)
<u>3 CCR §</u> <u>2303(i)(5)</u> <u>Gypsum</u>	The label information for fertilizing materials required by Section 14631 of the Food	X	First violation shall receive a notice of warning / notice of violation with 30 days to

Equivalent Guarantee S	and Agricultural Code shall include a guaranteed analysis of gypsum equivalent guarantees (if claimed) using the correct format.			<u>comply. For each</u> <u>subsequent violation, the</u> <u>violations matrix for FAC §</u> <u>14681(a) and/or (c) applies</u> <u>as follows: \$1,000 for the</u> <u>second violation. \$2,500 for</u> <u>the third violation. \$5,000</u> <u>for each subsequent</u> <u>violation. For violations that</u> <u>arise from fraud, willful</u> <u>misconduct, gross</u> <u>negligence, or are a threat</u> <u>to public safety, the</u> <u>secretary shall assess a</u> <u>penalty of \$5,000 for the</u> <u>initial or any subsequent</u> <u>violation.</u> <u>Sources: FAC §§ 14533,</u> <u>14537, 14540, 14542,</u> <u>14651.5, 14681</u> <u>3 CCR §§ 2322(a)(3),</u> 2322(a)(2), 2322(a)(1)	
353_CCR § 2303-(j) Derivation Statement <del>(For Commerci</del> <del>al Fert and</del> Ag Min)	The label <u>information for</u> <u>fertilizing materials required</u> <u>by Section 14631 of the Food</u> <u>and Agricultural Code</u> shall include a derivation statement <u>directly following the last</u> <u>nutrient guarantee (for</u> <u>commercial fertilizers and</u> <u>agricultural mineral labels)</u> .	X		First violation shall receive a nNotice of warning / notice of violation with 30 days to complyPending non-compliance, For each subsequent violation, the violations matrix for FAC_§ 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14527,	30 days to comply -

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				<u>14533, 14540, 14542,</u>	
				<u>14651.5, 14681</u>	
				<u>3 CCR §§ 2322(a)(3),</u>	
				<u>2322(a)(2), 2322(a)(1)</u>	
3 CCR §	Abbreviations shall not	X		First violation shall receive	
<u>2303(j)(1)</u>	appear in the			a notice of warning / notice	
<u>Abbreviati</u>	derivation statement, with the			of violation with 30 days to	
ons	exception of chelating agents.			comply. For each	
				subsequent violation, the	
				violations matrix for FAC §	
				14681(a) and/or (c) applies	
				as follows: \$1,000 for the	
				second violation. \$2,500 for	
				the third violation. \$5,000	
				for each subsequent	
				violation. For violations that	
				arise from fraud, willful	
				misconduct, gross	
				negligence, or are a threat	
				to public safety, the	
				secretary shall assess a	
				penalty of \$5,000 for the	
				initial or any subsequent	
				violation.	
				<u>-Holddorn</u>	
				Sources: FAC <u>§§</u> 14520,	
				14527, 14533, 14540,	
				<u>14542, 14651.5, 14681</u>	
				<u>3 CCR §§ 2322(a)(3),</u>	
				<u>2322(a)(2), 2322(a)(1)</u>	
<u>3 CCR §</u>	For liming materials, the	X		First violation shall receive	
<u>2303(j)(2)</u>	derivation statement shall			a notice of warning / notice	
Liming	follow the last guarantee.			of violation with 30 days to	
Materials	<u></u>			comply. For each	
Materiale				subsequent violation, the	
				violations matrix for FAC §	
				14681(a) and/or (c) applies	
				as follows: \$1,000 for the	
				second violation. \$2,500 for	
				the third violation. \$5,000	
				for each subsequent	
				violation. For violations that	
				arise from fraud, willful	
				misconduct, gross	
				negligence, or are a threat	
		I		to public safety, the	

		1	1 1		
36.3_CCR § 2303-(k)-List of Ingredient s (For PSAs)	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code Labels for packaged soil amendments_shall include a list of ingredients in decreasing amounts present- (for packaged soil	x		secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14527, 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1) First violation shall receive a nNotice of warning / notice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1 000 for the	30 days to comply <del>.</del>
	(for packaged soil amendments and organic input material bulk soil amendments).			as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	
37. <u>3</u> CCR § 2303-(I) Non Pplant Food Ingredient Statement <del>(For</del> <del>Commerci</del>	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include that Tthe following format and guarantees, as applicable for the following products or ingredients, shall appear <u>afterfollowing</u> the	X		First violation shall receive <u>a n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to comply</u> Pending <u>non-compliance</u> , For each <u>subsequent violation</u> , the <u>violations matrix for FAC §</u> 14681-(a) and/or (c) applies <u>as follows: \$1,000 for the</u>	<del>30</del> <del>days to comply</del> <del>.</del>

al Fert and Ag Min)	derivation statement of agricultural mineral and commercial fertilizer labels: "ALSO CONTAINS NONPLANT FOOD INGREDIENT(S):" <u>.</u>			second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	
<u>3 CCR §</u> <u>2303(m)</u> <u>Additional</u> <u>Informatio</u> <u>n within</u> <u>Guarantee</u> <u>d Analysis</u>	Additional information, other than secondary or micronutrient guarantees, shall not appear in the guaranteed analysis statement.	X		ElectronyFirst violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14533, 14536, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	
<u>383</u> CCR § 2303-(n)	The label information for fertilizing materials required	X		First violation shall receive a nNotice of warning /	<del>30</del> <del>days to</del>
3 2000-(II)	Intrinzing matchais required	1		a neouce of warning /	

- Forms of <u>nitrogen</u> (N) adding to Total N	by Section 14631 of the Food and Agricultural Code shall include that Tthe guarantees for the forms of nitrogen must add up to the total nitrogen guarantee claimed and are recommended in the order appearing in the format shown in section 2303(i)(1).		notice of violation with 30 days to complyPending non-compliance, For each subsequent violation, the violations matrix for FAC_§ 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.complySources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)comply
3 CCR § 2303(o) Zeros Before Decimal Point	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include that zeros are required before the decimal points when less than one percent.	X	First violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.

<b></b>			1 1	
2000 \$	The lebel information for			Sources: FAC §§ 14533, 14540, 14542, 14651.5, <u>14681</u> <u>3 CCR §§ 2322(a)(3),</u> 2322(a)(2), 2322(a)(1) First violation shall receive
<u>3 CCR §</u> <u>2303(p)</u> <u>Labels for</u> <u>Packaged</u> <u>Products</u>	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include that, for packaged products, the information found in section 2303(a) through (o) shall either: (1) Appear on the label, or (2) Be printed on a tag and attached to the package. This information shall be in a conspicuous form.			First violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14551, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)
3 CCR § 2303(q) Labels for Bulk Products	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include that, for bulk products, the information found in section 2303(a) through (o) shall be in written or printed form and shall accompany the delivery. This information shall be in a conspicuous form.	X		First violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross

				negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources:FAC §§ 14517, 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)
39.3 CCR § 2303-(r) - Heavy Metal Statement (Base Ingredient s)	The label information for fertilizing materials required by Section 14631 of the Food and Agricultural Code shall include that Tthe manufacturer of any base fertilizing material ingredient that claims iron, manganese, zinc or phosphates shall provide a guarantee statement that the product does not exceed standards established for arsenic, cadmium and lead, located in 3 CCR Section 2302.	X	X	Violations may be assessed up to \$1,000 per product. First violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.30 days to complySources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)30
40 <u>3</u> CCR § 2303 (s) <u>(1)</u> Heavy Metal <u>Informatio</u>	In lieu of stating the metals on the label, provide either a licensee maintained website that contains no advertising or company specific information, direct link to a	X		First violation shall receive       30         a nNotice of warning /       days to         notice of violation with 30       comply         days to complyPending       -         non-compliance, For each       -         subsequent violation, the       -

nal Statement on the Label, or <del>provide</del> a Website or Phone Number <u>for the</u> <u>Data</u>	government website or provide a toll free number.		violations matrix for FAC §14681-(a) and/or (c) appliesas follows: \$1,000 for thesecond violation. \$2,500 forthe third violation. \$5,000for each subsequentviolation. For violations thatarise from fraud, willfulmisconduct, grossnegligence, or are a threatto public safety, thesecretary shall assess apenalty of \$5,000 for theinitial or any subsequentviolation.Sources: FAC §§ 14533,14540, 14542, 14651.5,146812 00D \$5,000 (a)(2)
<u>3 CCR §</u> 2303(u) <u>Inaccurate</u> <u>Heavy</u> <u>Metals</u> <u>Informatio</u> <u>n</u>	The publication of inaccurate information regarding the contents and levels of metals is a misbranding violation pursuant to Section 14681 of the Food and Agricultural Code.	X	3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)         First violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681(a) 3 CCR §§ 2322(a)(3),

			2322(a)(2), 2322(a)(1)	
41 <u>3</u> CCR § 2304 ( <del>a)</del> <u>Biotics</u> <del>Microbial</del> <del>Species</del>	The label of each product which contains organisms, enzymes and other biologically active by products of organisms for which claims are made shall state: (a) Name of each species and strains as part of the statement of composition and name of each by-product, if claimed. (b)(1) The percentage or number of viable units of microorganisms per cubic centimeter or per gram for dry material. (2) The concentration in percentage of enzymes or other organism by-products claimed. (c) The expiration date for use. (d) Storage conditions.	X	First violation shall receive a nNotice of warning / notice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14514, 14533, 14540, 14542, 14651.5 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	30 days to comply -
4 <del>2. CCR § 2304 (b) Units for Microbial Guarantee s</del>	(1) The percentage or number of viable units of microorganisms per cubic centimeters. (2) The concentration in percentage of enzymes or other organism by-products claimed.	×	Notice of warning. Pending non-compliance, FAC 14681(a) applies.	<del>30</del> <del>days to</del> <del>comply</del> <del>.</del>
43. CCR § 2304 (c) Date of Expiration	The expiration date for use.	×	Notice of warning. Pending non-compliance, FAC 14681(a) applies.	<del>30</del> <del>days to</del> <del>comply</del> <del>-</del>
44. CCR § 2304 (d) - Storage Conditions	Storage conditions.	×	Notice of warning. Pending non-compliance, FAC 14681(a) applies.	<del>30</del> <del>days to comply</del> <del>.</del>

4 <u>5.3</u> CCR § 2305(a) - Chelating Agents (Name)	Label chelation claims <u>shallmust-state</u> include the name of the chelating agent.	X	First violation shall receive <u>a n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to comply</u> . Pending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.	30 days to comply <del>.</del>
46 <u>3</u> CCR § 2305-(b) - Chelating Agents (Analysis)	The percent of guaranteed chelated micronutrient content <u>shallmust</u> be stated <del>accurately</del> -within the guaranteed analysis.	X	Sources: FAC §§ 14520, 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1) First violation shall receive a nNotice of warning / notice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the	30 days to comply T

47-3_CCR       When a product is labeled as fish emulsion, it shall contain a minimum of 40 percent total solids.       X       First violation shall receive a nNotice of warning / enercompliance, For each subsequent violation, the violation, s5,000 for the second violation, s1,000 for the second violation, s2,000 for the second violation, s1,000 for the second violation, s1,000 for the second violation, s1,000 for the second violation, s2,000 for the second violation, s1,000 for the second violation, s1,000 for the second violation, s2,000 for the second violation, s2,000 for the second violation, s2,000 for the second violation, s1,000 for the second violation, s2,000 for the second violati
47-3_CCR       When a product is labeled as fish emulsion, it shall contain a minimum of 40 percent total solids.       X <ul> <li>First violation shall receive a nNotice of warning / notice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the violation stat arise from fraud, willful misconduct, aross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.       30         48-3_CCR       Packaged soil amendments soil and be measured by volume (quarts/cubic feet). If other measurement information is show, it shall be in parentheses following the       X              <ul> <li>First violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the violation, the violation, the violation, the second violation, \$2,500 for the second violation, \$2,000 for the initial or any subsequent violation.</li> <li>Sources: FAC \$\$ 14520, 14533, 14534, 14540, 14542, 146515, 14681</li> <li>Sources: FAC \$\$ 14520, 14533, 14534, 14540, 14542, 14540, 14542, 146515, 14681</li> <li>Sources: FAC \$\$ 14520, 14533, 14534, 12540, 14542, 14540, 14542, 14540, 14542, 14540, 14542, 146515, 14681</li> <li>Sources: FAC \$\$ 14520, 14533, 14534, 14540, 14542, 14540, 14542, 14540, 14542, 14540, 14542, 146515, 14681</li> <li>Sources: FAC \$\$ 14520, 14533, 14534, 14540, 14542, 14540, 14542, 14540, 14542, 14540, 14542, 146515, 14681</li> <li>Sources: FAC \$\$ 14520, 14533, 14534, 14540, 14542, 14</li></ul></li></ul>
47-3_CCR       When a product is labeled as       X       First violation shall receive       30         47-3_CCR       fish emulsion, it shall contain       a minimum of 40 percent total       First violation shall receive       30         emulsion       a minimum of 40 percent total       a motice of violation with 30       days-te       days-te         emulsion       solids.       a minimum of 40 percent total       a minimum of 40 percent total       30         emulsion       solids.       solids.       anNotice of violation with 30       days-te         fish emulsion, it shall contain       a minimum of 40 percent total       subsequent violation, the       violations matrix for FAC_§       34         fish emulsion       solids.       solidow: \$1,000 for the       second violation, \$2,500 for       the third violation \$2,500 for         the third violation, S2,000 for the       misconduct, gross       nedited wildul       misconduct, gross         needification.       Sources: FAC §\$ 14520, 14533, 14534, 14540, 14543, 14541, 14541, 14542, 14651, 5, 14681       3 CCR §\$ 2322(a)(3), 2322(a)(2), 2322(a)(1)       39         descretery shall be measured by volume       x       Eirst violation shall receive       39         g 2308(a)       shall be measured by volume       anNotice of warning / notice of violation with 30       days-te         g 23
47-3_CCR     When a product is labeled as § 2306     X     First violation shall receive a nNotice of warning/ a minimum of 40 percent total solids.     30       47-3_CCR     When a product is labeled as fish emulsion, it shall contain a minimum of 40 percent total solids.     X     First violation shall receive a nNotice of warning/ days to complyPending non-compliance,-For each subsequent violation, the violations matrix for FAC_§ 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,000 for the second violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.     30       48-3_CCR § 2308(a) - Packaged shall be measured by volume (quarts/cubic feet). If other measurement information is shown, it shall be in parentheses following the     X     First violation shall receive a nNotice of violation with 30 days to complyPending notice of violation with 30 days to complyPending non-compliance,-For each subsequent violation, the     30
47-3_CCR       When a product is labeled as       X       First violation shall receive       30         47-3_CCR       fish emulsion, it shall contain       a minimum of 40 percent total       First violation shall receive       30         emulsion       a minimum of 40 percent total       a motice of violation with 30       days-te       days-te         emulsion       solids.       a minimum of 40 percent total       a minimum of 40 percent total       30         emulsion       solids.       solids.       anNotice of violation with 30       days-te         fish emulsion, it shall contain       a minimum of 40 percent total       subsequent violation, the       violations matrix for FAC_§       34         fish emulsion       solids.       solidow: \$1,000 for the       second violation, \$2,500 for       the third violation \$2,500 for         the third violation, S2,000 for the       misconduct, gross       nedited wildul       misconduct, gross         needification.       Sources: FAC §\$ 14520, 14533, 14534, 14540, 14543, 14541, 14541, 14542, 14651, 5, 14681       3 CCR §\$ 2322(a)(3), 2322(a)(2), 2322(a)(1)       39         descretery shall be measured by volume       x       Eirst violation shall receive       39         g 2308(a)       shall be measured by volume       anNotice of warning / notice of violation with 30       days-te         g 23
47-3_CCR       When a product is labeled as fish emulsion, it shall contain a minimum of 40 percent total solids.       X       First violation shall receive antipuly emotion with 30 days to comply. Pending non-compliance, For each subsequent violation. with 30 days to comply. Pending non-compliance, For each subsequent violation. Soloo for the second violation. Soloo for each subsequent violation. Soloo for the third violation. Soloo for the second violation. Soloo for the second violation. Soloo for the second violation. Soloo for each subsequent violation. Soloo for the third violation. Soloo for the second violation. Soloo for the third violation. Soloo for the second violation. Soloo for the third violation. Soloo for the second violation with 30 days to comply. Pending non-compliance, Fo
47-3_CCR       When a product is labeled as fish emulsion, it shall contain a minimum of 40 percent total solids.       X       First violation shall receive a <u>notice of violation with 30</u> days to comply. Pending days to comply. Pending to comply and the percent violation. The violation. the violation. the violation with 30 days to comply. Pending to comply and the percent violation. The violation with 30 days to comply and the percent violation. The violation with 30 days to comply. Pending to comply and the percent violation. The violation with 30 days to comply and the percent violation. The violation with 30 days to comply and the percent violation. The violation with 30 days to comply and the percent violation. The violation with 30 days to comply and the percent violation. The violation with 30 days to comply will will misconduct, gross negligence, or are a threat to public safety. the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.       30         48-3_CCR       Packaged soil amendments \$ 2308(a) - compliance for violation shall receive (quarts/cubic feet). If other measured by volume (quarts/cubic feet). If other measurement information is shown, it shall be in an exercement violation is shown, it shall be in an exercement violation. The violation with 30 days to comply. Pending - compliance for each subsequent violation. The violation with 30 days to comply. Pending - compliance for each subsequent violation. The violation with 30 days to comply. Pending - compliance for each subsequent violation. The violation with 30 days to comply. Pending - compliance for each subsequent violation. The violation with 30 days to comply. Pending - compliance for each subsequent violation. The violation with 30 days to comply. Pending - compliance for each subsequent violation. The violation with 30 days to comply. Pending - compliance for each subsequent violation. The violat
47-3_CCR       When a product is labeled as § 2306       X       Image: state of the state
473_CCR § 2306       When a product is labeled as fish emulsion, it shall contain a minimum of 40 percent total solids.       X       First violation shall receive a_nNotice of warning_/ notice of violation with 30 days to comply-Pending non-compliance,-For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation, \$1,000 for the second violation, \$2,500 for the third violation, \$2,500 for the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         48-3_CCR \$ 2308(a) - - - Caxaged Soil       Packaged soil amendments shall be measured by volume (quarts/cubic feet). If other measurement information is shown, it shall be in parentheses following the       X       Einst violation with 30 days to comply. Pending r days to comply. Pending r days to comply. Pending r       30
§ 2306 -Fish Emulsion       fish emulsion, it shall contain a minimum of 40 percent total solids.       a <u>nNotice of warning /</u> notice of violation with 30 days to complyPending non-compliance,-For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation, \$2,500 for the third violation, \$2,500 for the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.       30         48-3 CCR § 2308(a) shall be measured by volume (quarts/cubic feet). If other measurement information is shown, it shall be in Amendme       X packaged shown, it shall be in subsequent violation, the       30
<ul> <li>Fish Emulsion</li> <li>a minimum of 40 percent total solids.</li> <li>indice of violation with 30 days to complyPending non-compliance,-For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the second violation. \$2,500 for the third violation. For violation stat arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.</li> <li>48-3 CCR \$2322(a)(3), 2322(a)(3), 232(a)(3), 23</li></ul>
-Fish Emulsion       a minimum of 40 percent total solids.       notice of violation with 30 days to complyPending non-compliance,-For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the second violation. \$2,500 for the second violation. \$2,500 for the second violation. \$5,000 for each subsequent violation. The violation that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         483.CCR § 23208(a)       Packaged soil amendments soil amendments soil be in solal be measured by volume - (quarts/cubic feet). If other measurement information is soil shown, it shall be in aparentheses following the       X       First violation shall receive an Notice of violation with 30 days to complyPending non-compliance,-For each subsequent violation.
Emulsion       solids.       days to comply -Pending         non-compliance, For each       subsequent violation, the         subsequent violation, the       violations matrix for FAC §         14681-(a) and/or (c) applies       as follows: \$1,000 for the         second violation. \$2,500 for       the third violation. \$2,500 for         the third violation. \$2,500 for       the third violation. \$2,500 for         the third violation. \$2,500 for       the third violation. \$2,500 for         the third violation. \$2,500 for       the third violation. \$2,500 for         the third violation. \$2,500 for       the third violation. \$2,500 for         the third violation. \$2,500 for       the third violation. \$2,500 for         the third violation. \$2,500 for       the third violation. \$2,500 for         the third violation. \$2,500 for       the third violation. \$2,500 for         the third violation. \$2,500 for       the third violation. \$2,500 for         the third violation. \$2,500 for       the secretary shall assess a         penalty of \$5,000 for the       secretary shall assess a         penalty of \$5,000 for the       thirtial or any subsequent         violation.       \$2,322(a)(2), 2322(a)(1)         48-5 CCR       Packaged soil amendments       X         \$2308(a)       shall be measured by volume       First violation shall re
48-3_CCR       Packaged soil amendments \$2308(a)       X       First violation shall receive an Notice of warning./ notice of violation with 30 days to compliance, For each subsequent violation, the violations, the violations, the violations, the violations, the violations matrix for FAC_S 14681-(a) and/or (c) applies as followis: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the third violation. \$2,500 for the the third violation that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         48-3_CCR       Packaged soil amendments shall be measured by volume (quarts/cubic feet). If other measurement information is shown, it shall be in parentheses following the       X       First violation with 30 days to complyPending notice of violation, the
48-3_CCR       Packaged soil amendments       X       Subsequent violation, the violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as followis: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         48-3_CCR       Packaged soil amendments shall be measured by volume - (quarts/cubic feet). If other measurement information is shall be in parentheses following the       X       Eirst violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the
48-3_CCR       Packaged soil amendments       X       First violation shall receive quarts/cubic feet). If other Packaged measurement information is soil shown, it shall be in parentheses following the       X       First violation shall receive quarts/cubic feet. If other quarts/cubic fee
48-3_CCR       Packaged soil amendments       X       Sources: FAC §§ 14520, 14533, 14534, 14540, 14542, 14651, 5, 14681 3 3 CCR §§ 2308(a)       30         48-3_CCR       Packaged soil amendments       X       First violation shall receive a nNotice of warning / not comply. Pending rom compliance, For each subsequent violation, the subsequent violation, for each subsequent violation. For violation, for each subsequent violation, for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.         48-3_CCR       Packaged soil amendments shall be in for the initial or any subsequent violation shall receive a nNotice of warning / not comply. Pending non-compliance, For each subsequent violation, the subsequent violation, the subsequent violation with 30
48-3 CCR       Packaged soil amendments       X       Sources: FAC §§ 14520, 14531, 14540, 14542, 14651.5, 14681 3 3 CCR §§ 2322(a)(2), 2322(a)(1)         48-3 CCR       Packaged soil amendments       X       First violation shall receive a noice of violation with 30 comply. Pending receives following the
48-3_CCR       Packaged soil amendments       X       Subsequent violation.       Subsequent violation.       Subsequent violation.       Subsequent violation.         48-3_CCR       Packaged soil amendments shall be measured by volume - (quarts/cubic feet). If other Packaged       X       First violation shall receive a nNotice of violation with 30 esempty an Notice of violation with
48-3_CCR       Packaged soil amendments       X       Subsequent violation.       Subsequent violation.       Subsequent violation.       Subsequent violation.         48-3_CCR       Packaged soil amendments shall be measured by volume - (quarts/cubic feet). If other Packaged       X       First violation shall receive a nNotice of violation with 30 esempty an Notice of violation with
48-3_CCR       Packaged soil amendments       X       Sources: FAC §§ 14520, 14533, 14534, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(1)         48-3_CCR       Packaged soil amendments       X       First violation shall receive a nhotic of violation shall receive a nhotic of violation.       30         First violation shall be measured by volume - (quarts/cubic feet). If other Packaged       measurement information is soil       X       First violation shall receive a nhotic of violation with 30 comply - Pending violation, the
AmendmePackagedPackaged soil amendments soilXXFirst violation shall receive a nNotice of violation shall be in shown, it shall be in parentheses following theXEist violation subsequent violation, the
48-3_CCR § 2308(a) Packaged Soil AmendmePackaged shall be in measurement information is Soil AmendmePackaged shall be in measurement information is shown, it shall be in parentheses following theXFirst violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.48-3_CCR § 2308(a) Soil AmendmePackaged soil amendments shall be measured by volume (quarts/cubic feet). If other parentheses following theXFirst violation shall receive a nNotice of violation with 30 days to complyPending on-compliance,-For each subsequent violation, the30
48-3 CCR       Packaged soil amendments       X       Sources: FAC §§ 14520, 14533, 14534, 14540, 14542, 14651.5, 14681 33 CCR §§ 2322(a)(3), 2322(a)(1)         48-3 CCR       Packaged soil amendments       X       First violation shall receive a nNotice of warning/ anNotice of warning/ days to complyPending results of complyPending results of complyPending results of comply results of complyPending results of comply results of complyPending results of complyPe
48-3_CCR       Packaged soil amendments       X       X       First violation shall receive factor of warning / antwork to comply. Pending rom-compliance, For each subsequent violation, the       30         48-3_CCR       Packaged soil amendments soil       X       First violation shall receive for warning / antwork to comply. Pending rom-compliance, For each subsequent violation, the       30
48-3 CCR \$ 2308(a)Packaged soil amendments shall be measured by volume - (quarts/cubic feet). If other measurement information is Soil AmendmeXFirst violation shall receive a negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.30 days to comply. - mending days to comply. -Pending non-compliance, For each subsequent violation, the
483 CCR § 2308(a) Packaged Soil Amendme parentheses following thePackaged shown, it shall be in parentheses following theXFirst violation shall receive a nNotice of violation with 30 days to complyPending non-compliance,-For each subsequent violation, the30 days to complyPending r
AB:-3_CCR § 2308(a) Packaged Soil AmendmePackaged soil amendments in the subsequent information is Soil AmendmeXFirst violation shall receive a nNotice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the30 days to comply
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Penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14520, 14533, 14534, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)483_CCR § 2308(a) - - (quarts/cubic feet). If other Packaged Soil Amendme parentheses following theXFirst violation shall receive a nNotice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the30 days to comply. Pending r.
AB:-3 CCR \$ 2308(a)Packaged soil amendments result of the measured by volume - (quarts/cubic feet). If other PackagedXFirst violation shall receive a nNotice of warning / notice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, the30 days to comply
483 CCR       Packaged soil amendments       X       X       First violation shall receive anNotice of violation with 30 comply. Pending for comply. Pending shown, it shall be in Amendme       30         -       (quarts/cubic feet). If other parentheses following the       X       First violation with 30 comply. Pending non-compliance, For each subsequent violation, the       30
AB:-3 CCR § 2308(a)Packaged soil amendments is shall be measured by volume - (quarts/cubic feet). If other PackagedXFirst violation shall receive a nNotice of violation with 30 days to complyPending non-compliance, For each subsequent violation, the30 days to comply
483 CCRPackaged soil amendmentsXFirst violation shall receive a nNotice of warning / days to comply. Pending30 days to comply-(quarts/cubic feet). If other PackagedI down, it shall be in shown, it shall be inI down of violation, the30 days to comply. Pending non-compliance, For each subsequent violation, the
483 CCRPackaged soil amendmentsXFirst violation shall receive a nNotice of warning / days to comply.30 days to comply483 CCRPackaged soil amendmentsXFirst violation shall receive a nNotice of warning / days to comply.30 days to comply-(quarts/cubic feet). If other soil-notice of violation with 30 days to comply.comply -Packagedmeasurement information is soilanNotice of violation with 30 days to comply.comply -Amendmeparentheses following thesubsequent violation, the-
483_CCRPackaged soil amendmentsXFirst violation shall receive a nNotice of warning / days to gays to comply. Pending non-compliance, For each Amendme30483_CCRPackaged soil amendmentsXFirst violation shall receive a nNotice of warning / days to comply30483_CCRPackaged soil amendmentsXFirst violation shall receive a nNotice of warning / days to comply30-(quarts/cubic feet). If otherif otherif otherif other notice of violation with 30 non-compliance, For each subsequent violation, the-
483 CCR       Packaged soil amendments       X       First violation shall receive an Notice of warning / days to       30         483 CCR       Packaged soil amendments       X       First violation shall receive an Notice of warning / days to       30         § 2308(a)       shall be measured by volume (quarts/cubic feet). If other       notice of violation with 30       comply         Packaged       measurement information is       days to comply. Pending       -         Soil       shown, it shall be in       non-compliance, For each       -         Amendme       parentheses following the       subsequent violation, the       -
483 CCR       Packaged soil amendments       X       First violation shall receive an Notice of warning / days to       30         483 CCR       Packaged soil amendments       X       First violation shall receive an Notice of warning / days to       30         § 2308(a)       shall be measured by volume (quarts/cubic feet). If other       notice of violation with 30       comply         Packaged       measurement information is       days to comply. Pending       -         Soil       shown, it shall be in       non-compliance, For each       -         Amendme       parentheses following the       subsequent violation, the       -
483_CCR       Packaged soil amendments       X       First violation shall receive a notice of warning / days to       30         § 2308(a)       shall be measured by volume       Amendme       Amend
48.3_CCR       Packaged soil amendments       X       First violation shall receive       30         § 2308(a)       shall be measured by volume       a nNotice of warning /       days to         -       (quarts/cubic feet). If other       notice of violation with 30       comply         Packaged       measurement information is       days to comply.       -Pending         Soil       shown, it shall be in       non-compliance, For each       -         Amendme       parentheses following the       subsequent violation, the       -
§ 2308(a)shall be measured by volume (quarts/cubic feet). If othera nNotice of warning / notice of violation with 30 days to comply. Pending non-compliance, For each subsequent violation, thedays to comply
-(quarts/cubic feet). If othernotice of violation with 30complyPackagedmeasurement information isdays to complyPending-Soilshown, it shall be innon-compliance, For each-Amendmeparentheses following thesubsequent violation, the
Packagedmeasurement information isdays to comply. PendingSoilshown, it shall be innon-compliance, For eachAmendmeparentheses following thesubsequent violation, the
Soilshown, it shall be innon-compliance, For eachAmendmeparentheses following thesubsequent violation, the
Amendme parentheses following the <u>subsequent violation, the</u>
Amendme parentheses following the subsequent violation, the
<b>J</b>
(Volume) 14681-(a) and/or (c) applies
as follows: \$1,000 for the
second violation. \$2,500 for
the third violation. \$5,000

			for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14552, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	
3 CCR § 2308(b) Packaged Soil Amendme nts (Compositi on Claims)	No claim shall be made for chemical composition or nutritive constituents, except as provided in (d) and (f) of this section.	X	First violation shall receive a notice of warning / notice of violation with 30 days to comply. For each subsequent violation, the violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14533, 14540, 14542, 14552, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	
4 <u>93</u> CCR § 2308(c) Packaged Soil	When a packaged soil amendment is labeled as a specific material, such as peat moss or leaf mold, the	X	2322(a)(2), 2322(a)(1) First violation shall receive <u>a n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to comply</u> . Pending	<del>30</del> days to comply <del>.</del>

A management	product chall consist of sof		<u> </u>	non compliance. For each
Amendme	product shall consist of not			non-compliance, For each
nts	less than 95 percent of that			subsequent violation, the
(Compositi	material.			violations matrix for FAC §
on)				14681-(a <u>) and/or (c)</u> applies
				as follows: \$1,000 for the
				second violation. \$2,500 for
				the third violation. \$5,000
				for each subsequent
				violation. For violations that
				arise from fraud, willful
				misconduct, gross
				negligence, or are a threat
				to public safety, the
				secretary shall assess a
				penalty of \$5,000 for the
				initial or any subsequent
				violation.
				Sources: FAC §§ 14533.
				<u>14540, 14542, 14552,</u>
				<u>14651.5, 14681</u>
				<u>3 CCR §§ 2322(a)(3),</u>
				<u>2322(a)(2), 2322(a)(1)</u>
<u>3 CCR §</u>	Organic products such as	<u>X</u>		First violation shall receive
<u>2308(d)</u>	<u>bark, wood chips, wood</u>			a notice of warning / notice
Packaged	sawdust and peat or peat			of violation with 30 days to
Soil	moss claimed to be nitrogen			comply. For each
Amendme	fortified, nitrogen stabilized,			subsequent violation, the
nts	or with other terms to inform			violations matrix for FAC §
(Nitrogen	that the product contains			14681(a) and/or (c) applies
Fortificatio	nitrogen added to			as follows: \$1,000 for the
n)	compensate for nitrogen likely			second violation. \$2,500 for
<u></u>	to be taken from soil due to			the third violation. \$5,000
	the amendments			for each subsequent
	decomposition therein, are			violation. For violations that
	soil amendments when such			arise from fraud, willful
	additional nitrogen is 0.5			misconduct, gross
	percent or less.			negligence, or are a threat
	Any claim for such nitrogen			to public safety, the
	stabilization or fortification or			secretary shall assess a
	similar term made on the			penalty of \$5,000 for the
	label of a packaged soil			initial or any subsequent
	amendment shall be			violation.
	accompanied by a statement			
	of the total percent of nitrogen			Sources: FAC §§ 14533,
	contained therein.			14540, 14542, 14552,

				<u>14651.5, 14681</u>
				<u>3 CCR §§ 2322(a)(3),</u>
				2322(a)(2), 2322(a)(1)
3 CCR §	The claim "wetting agent	Х		First violation shall receive
2308(e)(1)	added" can be made without			a notice of warning / notice
Packaged	guaranteeing the specific			of violation with 30 days to
Soil				
	wetting agent or the			comply. For each
Amendme	percentage of such, but the			subsequent violation, the
<u>nts</u>	chemical name of the wetting			violations matrix for FAC §
(Wetting	agent must be submitted at			14681(a) and/or (c) applies
<u>Agents)</u>	the time of registration along			as follows: \$1,000 for the
	with the analytical method.			second violation. \$2,500 for
				the third violation. \$5,000
				for each subsequent
				violation. For violations that
				arise from fraud, willful
				misconduct, gross
				negligence, or are a threat
				to public safety, the
				secretary shall assess a
				penalty of \$5,000 for the
				initial or any subsequent
				violation.
				Sources: FAC §§ 14533,
				14540, 14542, 14552,
				14651.5, 14681
				3 CCR §§ 2322(a)(3),
				2322(a)(2), 2322(a)(1)
		V		
<u>3 CCR §</u>	If reference is made to the	<u>X</u>		First violation shall receive
<u>2308(g)</u>	acidity or alkalinity of the			a notice of warning / notice
Packaged	product, or its influence on			of violation with 30 days to
<u>Soil</u>	the soil, the range or specific			comply. For each
<u>Amendme</u>	pH of the product must be			subsequent violation, the
<u>nts (pH</u>	<u>guaranteed.</u>			violations matrix for FAC §
guarantee)				14681(a) and/or (c) applies
				as follows: \$1,000 for the
				second violation. \$2,500 for
				the third violation. \$5,000
				for each subsequent
				violation. For violations that
				arise from fraud, willful
				misconduct, gross
				negligence, or are a threat
				to public safety, the
				secretary shall assess a
		I	I – – – – – – – – – – – – – – – – – – –	

50. <u>3</u> CCR § 2309 (b) - Available Phosphori c Acid	Products that contain phosphoric acid shall state on the label the percentage of "Available Phosphoric Acid". If, in addition, a percentage of "Total Phosphoric Acid" is stated, the percentage of "Insoluble Phosphoric Acid" must be stated immediately below. (a) Products that contain	×	penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14533, 14540, 14542, 14552, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)Notice of warning: Pending non-compliance, FAC § 14681 (a) applies.Fac § 14681 (a) applies.	30 days to comply <del>.</del>
§ 2309-(a) - Phosphoro us materials	<ul> <li>(a) Products that contain phosphorous acid shall state on the label the percentage of "Total Phosphoric Acid", upon conversion of phosphorous acid.</li> <li>In addition, the label shall state the following:</li> <li>(1) Phosphorous acid products are for use as a supplemental fertilizer treatment.</li> <li>(2) Upon foliar application, the phosphite ions are taken up directly by the plant foliage and may undergo a degree of conversion to phosphate ions, or will be used directly by plants, as phosphite ions.</li> <li>(3) As a soil application to annual crops, a lesser response from the initial crop, with a corresponding superior response from succeeding crops, may be observed. In addition, placement close to seeds or root zones may be</li> </ul>		<u>First Violation Shall receive</u> <u>a n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to comply</u> Pending <u>non-compliance, For each</u> <u>subsequent violation, the</u> <u>violations matrix for FAC §</u> 14681-(a) and/or (c) applies <u>as follows: \$1,000 for the</u> <u>second violation. \$2,500 for</u> the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful <u>misconduct, gross</u> <u>negligence, or are a threat</u> to public safety, the <u>secretary shall assess a</u> <u>penalty of \$5,000 for the</u> initial or any subsequent violation. <u>Sources: FAC §§ 14533,</u> <u>14540, 14542, 14651.5,</u> <u>14681</u> <u>3 CCR §§ 2322(a)(3),</u> 2322(a)(2), 2322(a)(1)	<del>days to comply .</del>

	injurious to crops. The effect may be aggravated by a soil pH below 6.5. (b) Products that contain Phosphoric acid shall state on the label the percentage of "Available Phosphoric Acid". If, in addition, a percentage of "Total Phosphoric Acid" is stated, the percentage of "Insoluble Phosphoric Acid" (Citrate-Insoluble Phosphorus) must be stated immediately below.				
52.3_CCR § 2311(a) - Slow Release (Claims)	The label shall not state or imply that a plant nutrient or micronutrient contained in a fertilizer is released slowly over a period of time, unless such nutrients or micronutrients are identified and guaranteed.	X		First violation shall receive a <u>n</u> Notice of warning / <u>notice of violation with 30</u> <u>days to comply. Pending</u> non-compliance, For each <u>subsequent violation, the</u> <u>violations matrix for FAC §</u> 14681-(a) and/or (c) applies as follows: \$1,000 for the <u>second violation. \$2,500 for</u> the third violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681 3 CCR §§ 2322(a)(3), 2322(a)(2), 2322(a)(1)	<del>30</del> <del>comply</del> <del>.</del>

3 CCR §	The types of slow released	<u>X</u>		First violation shall receive	
<u>2311(b)</u>	products recognized are:			a notice of warning / notice	
<u>Slow</u>	(1) Water insoluble (N			of violation with 30 days to	
	products only), such as			comply. For each	
Release	-				
(Accepted	<u>natural organics, urea</u>			subsequent violation, the	
Products)	formaldehyde, isobutylidene			violations matrix for FAC §	
	diurea and oxamide.			14681(a) and/or (c) applies	
	(2) Coated slow release such			as follows: \$1,000 for the	
	as sulfur coated urea and			second violation. \$2,500 for	
	other encapsulated soluble			the third violation. \$5,000	
	<u>fertilizers.</u>			for each subsequent	
	(3) Products containing water			violation. For violations that	
	soluble nitrogen such as			arise from fraud, willful	
	ureaform materials, urea			misconduct, gross	
	formaldehyde products,			negligence, or are a threat	
	methylenediurea (MDU),			to public safety, the	
	dimethylene triurea (DMTU),			secretary shall assess a	
	dicyanodiamide (DCD).			penalty of \$5,000 for the	
	(4) Occluded slow release,			initial or any subsequent	
	where fertilizers or fertilizer			violation.	
	materials are mixed with				
	waxes, resins, or other inert			Sources: EAC 88 14533	
				Sources: FAC §§ 14533,	
	materials and formed into			<u>14540, 14542, 14651.5,</u>	
	particles. The terms "water			<u>14681</u>	
	insoluble", "coated slow			<u>3 CCR §§ 2322(a)(3),</u>	
	release", "slowly available			<u>2322(a)(2), 2322(a)(1)</u>	
	water soluble" and "occluded				
	slow release" are accepted as				
	descriptive of these products				
	provided the claim is				
	substantiated by a research				
	study as required by section				
	2300(b).				
	(5) Products containing				
	phosphorous acid such as				
	potassium phosphite and				
	ammonium phosphite which				
	undergo a degree of				
	conversion in plants or soils				
	to available phosphoric acid				
	<u>(P<sub>2</sub>O<sub>5</sub>).</u>				
<u>3 CCR §</u>	When slowly released	<u>X</u>		First violation shall receive	
<u>2311(c)</u>	nutrients are less than 15			a notice of warning / notice	
<u>Slow</u>	percent of each total of the			of violation with 30 days to	
<u>Release</u>	guarantee for either total			comply. For each	
(Minimum	<u>nitrogen (N), available</u>			subsequent violation, the	

Percentag e)	phosphoric acid (P <sub>2</sub> O <sub>5</sub> ), or soluble potash (K <sub>2</sub> O), as appropriate, the label shall not refer to slow release of the materials.		violations matrix for FAC § 14681(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14533, 14540, 14542, 14651.5, 	
53. <u>3</u> CCR § 2312 Gypsum equivalent	Any of the following four compounds, Hydrated Calcium Sulfate, Anhydride Calcium Sulfate, Hydrated Calcium Sulfite, and Anhydride Calcium Sulfite singly or in combination, shall be expressed as a percent gypsum equivalent on the label.	X	First violation shall receive a nNotice of violation with 30 days to complyPending non-compliance, For each subsequent violation, the violations matrix for FAC § 14681-(a) and/or (c) applies as follows: \$1,000 for the second violation. \$2,500 for the third violation. \$2,500 for the third violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14533, 14540, 14542, 14651.5, 14681	30 days to comply

	Г	Т			
					<u>3 CCR §§ 2322(a)(3),</u>
					<u>2322(a)(2), 2322(a)(1)</u>
<u>3 CCR §</u>	Subsamples shall be		<u>X</u>		<u>For non-submittal of</u>
<u>2314</u>	provided to interested parties				analytical results, the first
<u>Subsampl</u>	after laboratory analysis by				violation shall receive a
es	the department, with the				notice of warning / notice of
	condition that the requesting				violation with 30 days to
	parties agree to provide				comply, after which
	analytical results of the				penalties for the second
	subsample to the Department				and subsequent violations
	of Food and Agriculture,				would apply. \$500 for
	Feed, Fertilizer and Livestock				second violation. \$1,000 for
	Drug Branch within 21 days				each subsequent violation.
	<u>of receipt.</u>				
					Sources: FAC § 14651.5
					<u>3 CCR §§ 2322(a)(2),</u>
					<u>2322(a)(1)</u>
<u>3 CCR §</u>	Experimental use of a			<u>X</u>	\$1000 for the first violation.
<u>2319</u>	fertilizing material for				\$2500 for the second
Experimen	noncommercial value is				violation. \$5000 for each
tal Use of	exempt from registration				subsequent violation. For
<u>a</u>	when all of the following				violations that arise from
Fertilizing	conditions have been				fraud, willful misconduct,
Material	satisfied:				gross negligence, or are a
Material					threat to public safety, the
	(a) The material shall not be				secretary shall assess a
	sold.				penalty of \$5,000 for the
	(b) The material shall be				initial or any subsequent
	conspicuously identified on				violation.
	the display panel as				
	<u>"EXPERIMENTAL USE</u>				<u>Sources: FAC §§ 14531,</u>
	<u>ONLY".</u>				<u>14533, 14540, 14542,</u>
	<u>(c) The user(s) or recipient(s)</u>				<u>14651.5</u>
	of the material shall be				<u>3 CCR § 2322(a)(1)</u>
	documented by the				
	manufacturer.				
	(1) Documentation shall be				
	retained and available to the				
	secretary upon request for at				
	least three years from date				
	the material was provided.				
2000 5		V			The penaltice about in the
<u>3 CCR §</u>	In addition to requirements	<u>X</u>			The penalties shown in the
<u>2320</u>	found in Section 14601 of the				violations matrix for FAC §
<u>Registratio</u>	Food and Agricultural Code,				14601 apply as follows:
<u>n</u>	the following information is				Notice of warning / notice of

	required. Each auxiliary soil and plant substance, packaged agricultural mineral, packaged soil amendment, specialty fertilizer, and organic input material shall be registered in the name of the legal entity or person whose name appears on the label before being distributed in this state. These materials shall not be distributed or sold unless the product is registered.			violation for the firstviolation with 30 days tocomply, after whichpenalties for the secondand subsequent violationswould apply. \$500 for thesecond violation. \$1,000 foreach subsequent violation.Sources: FAC §§ 14533,146013 CCR §§ 2322(a)(3),2322(a)(2), 2322(a)(1)
3 CCR § 2320.3 (a)(1) Organic Input Material Registratio n (Claims of complianc e to the NOP)	A fertilizing material shall be considered to be an organic input material requiring label registration if the fertilizing material is making claims of compliance to the United States Department of Agriculture, National Organic Program (NOP) standards, or claims for use in organic crop and food production, including but not limited to, submission by the supplier, distributor, or manufacturer for listing by a third-party organic input material review organization recognized by the NOP.		×	The penalties shown in the violations matrix for FAC § 14681(a) and/or (c) apply as follows: \$1,000 for the first violation. \$2,500 for the second violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation.Sources: FAC §§ 14533, 14550.5, 14601, 14651.5, 14681 3 CCR § 2322(a)(1)
3 CCR § 2320.3 (a)(2) Organic Input Material Registratio n (Claims on labels, literature, website,	A fertilizing material shall be considered to be an organic input material requiring label registration if the fertilizing material includes claims on labels, labeling, literature or extensions of labels, such as websites or social media outlets, or other electronic or verbal communications that the products are suitable for		X	The penalties shown in the violations matrix for FAC § 14681(a) and/or (c) apply as follows: \$1,000 for the first violation. \$2,500 for the second violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat

<u>social</u> <u>media,</u> <u>etc.)</u>	use in organic crop and food production system.			to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14550.5, 14601, 14651.5, 14681 3 CCR § 2322(a)(1)	
<u>3 CCR §</u> <u>2320.4</u> <u>Use of the</u> <u>term</u> <u>"Organic"</u>	<ul> <li>(a) Fertilizing material labels and/or labeling displaying the term "organic" in the licensee's name on the label, logos, slogans, or brand names, shall be registered as an organic input material or shall comply with subsection (c) by December 31, 2015.</li> <li>(b) Label and labeling claims implying that a product is suitable for organic crop and food production shall be registered as an organic input material or shall comply with subsection (c). Organic claims include, but are not limited to, the following: Organic gardening, certified organic, and compliance with National Organic program (NOP) standards.</li> <li>(c) The use of the term "organic" on fertilizing materials labels and/or labeling, as described in sections (a) and (b) of this section, not meeting the NOP standards shall include one of the following declarations: "Not for use in organic crop and organic food production in the State of California." or "Not for use in organic crop and organic food production." (1) The declaration shall</li> </ul>		X	The penalties shown in the violations matrix for FAC § 14681(a) and/or (c) apply as follows: \$1,000 for the first violation. \$2,500 for the second violation. \$5,000 for each subsequent violation. For violations that arise from fraud, willful misconduct, gross negligence, or are a threat to public safety, the secretary shall assess a penalty of \$5,000 for the initial or any subsequent violation. Sources: FAC §§ 14533, 14540, 14542, 14550.5, 14601, 14651.5, 14681 3 CCR §§ 2300.1(g), 2322(a)(1)	

	appear in the principal display panel of the label. (2) The declaration shall be in such a style of type of lettering as to be clearly and conspicuously presented with respect to other type, lettering, or graphic material on the label.				
3 CCR § 2323(a) Organic Input Material Inspection s (Access to Records & Premises)	The secretary shall have free access at reasonable times to all records, premises, production processes, storage facilities, inventories, or conveyances that are used in the manufacture, transportation, importation, distribution, storage, or application of any organic input material.		X	<u>Violations are punishable at</u> <u>\$5000.</u> <u>Sources: FAC §§ 14533,</u> <u>14641, 14550.5, 14651.5</u> <u>3 CCR § 2322(a)(1)</u>	
3 CCR § 2323(c) Organic Input Material Inspection § (Maintaini ng Records)	Organic input material manufacturers shall maintain all the records demonstrating compliance with the NOP standards for a period of five years and submit complete documentation describing all ingredients, manufacturing processes, process control information, laboratory analysis of incoming ingredients and finished products, and other information as required by the secretary.		×	<u>Violations are punishable at</u> <u>\$5000.</u> <u>Sources: FAC §§ 14533,</u> <u>14641, 14550.5, 14651.5</u> <u>3 CCR § 2322(a)(1)</u>	
3 CCR § 2323(d) Organic Input Material Inspection § (Sampling)	For the purpose ofdetermining compliance, thesecretary shall do all of thefollowing:(1) Take samples of anyraw ingredients, finishedproducts, and substances.(2) Take samples atvarious stages of themanufacturing process.(3) Make analysis or		X	<u>Violations are punishable at</u> <u>\$5000.</u> <u>Sources: FAC §§ 14533,</u> <u>14550.5, 14641, 14651.5</u> <u>3 CCR §§ 2313, 2315,</u> <u>2322(a)(1)</u>	

		1	-			
	examinations of any raw					
	ingredients, substances, and					
	organic input material.					
<u>3 CCR §</u>	Authorized staff may take a			Х	Violations are punishable at	
2324	sample for analysis from any				<u>\$5000.</u>	
Access for	lot of fertilizing material which					
Sampling	is in the possession of any				Sources: FAC <u>§§</u> 14530,	
Camping	producer, manufacturer,				14533, 14544, 14641,	
	-					
	distributor importer, agent,				<u>14651.5</u>	
	dealer, retailer, or user.				<u>3 CCR § 2322(a)(1)</u>	
<u>3 CCR §</u>	Each licensee shall maintain		<u>X</u>		\$500 for the first violation.	
<u>2325</u>	<u>in this state, or with the</u>				<u>\$1000 for each subsequent</u>	
Records	secretary's permission at				violation.	
<u>Maintenan</u>	another location, an accurate					
ce	record of all transactions				Sources: FAC §§ 14543,	
and Audit	subject to assessment.				14641, 14651.5	
<u></u>	These records shall be				3 CCR §§ 2322(a)(2),	
	maintained for a period of not				<u>2322(a)(1)</u>	
	less than three years					
	following the transaction and					
	are subject to audit by the					
	secretary. Records of all					
	transactions subject to					
	assessment shall be made					
	<u>available upon request.</u>					
<u>3 CCR §</u>	<u>(a) A licensee whose name</u>	<u>X</u>			The penalties shown in the	
<u>2326.1</u>	appears on the label who				violations matrix for FAC §	
Mill	sells or distributes bulk				14611 apply as follows: For	
Assessme	fertilizing materials, as				non-submittal of each	
nt Rates	defined in Food and				quarterly mill assessment,	
<u></u>	Agricultural Code Sections				the first violation shall	
	14517 and 14533, to				receive a notice of warning /	
	unlicensed purchasers, shall				notice of violation with 30	
	pay to the secretary an				days to comply, after which	
	assessment of two mills				penalties for the	
	(\$0.002) per dollar of sales				subsequent violations	
	for all sales of fertilizing				would apply. \$1,000 for	
	materials. A licensee whose				each subsequent violation.	
	name appears on the label of					
	packaged fertilizing				Any delinquent payment is	
	materials, as defined in Food				subject to a penalty of 15	
	and Agricultural Code				percent of the delinguent	
	Sections 14533 and 14551,				payment.	
	shall pay to the secretary an					
	assessment of two mills					
	(\$0.002) per dollar of sales of				<u>Sources: FAC §§ 14517,</u>	
		1		1		

all sales of fertilizing materials.         (b) In addition to the assessment provided in subdivision (a), the secretary establishes the mill assessment on fertilizing materials products at one mill (\$0.001) per dollar of sales for all sales of fertilizing materials, to provide funding for research and education regarding the use and handling of fertilizing materials pursuant to Food and Agricultural Code	14533, 14543, 14551,         14611, 14613         3 CCR §§ 2322(a)(3),         2322(a)(2), 2322(a)(1),         2326.2

Note: Authority cited: Sections 407, 14502, <u>14651</u>, 14651.5, and 14655, Food and Agricultural Code.

Reference: Sections <u>14601, 14613, 14623, 14641,</u> 14651.5, 14653, 14655, 14681 and 14682, Food and Agricultural Code.

# § 2322.1. Filing Deadlines and Procedures.

(a) The <u>A</u> respondent may contest a notice of adverse determination, including a notice to deny a right, authority, license or privilege or the renewal thereof, for any violation specified in Section 2322 within 30 calendar days from the date of the notice of proposed action by submitting a and may request an informal hearing by written request correspondence to the Secretary Legal Office of Hearings and Appeals of the Department of Food and Agriculture, 1220 "N" Street, Room <u>315</u> A-107, Sacramento, California 95814. Any objection to the Department's selection of the informal hearing procedure shall be made in writing to the Legal Office of Hearings and Appeals and shall be resolved by the Hearing Officer prior to the hearing.

(b) The respondent must submit a request for an informal hearing to the Secretary in writing within 30 days from the date of the notice of adverse determination.

(c) The respondent may request a formal hearing in lieu of an informal one. The respondent must do so within the filing deadlines for requesting an informal hearing set forth in subsection (b). Any request must be accompanied by a written statement in support of it. The hearing officer shall determine whether to proceed with an informal hearing or whether a formal hearing or other appropriate administrative proceeding may

be required by statute pursuant to Chapter 5 (commencing with section 11500), Part 1, Division 3, Title 2 of the Government Code.

(d) (b) Failure to present a timely request for a hearing constitutes a waiver of the respondent's right to contest the notice of an adverse determination.

(e) (c) If the notice of adverse determination places a hold on a fertilizing material product, or requires a person to cease operations, the notice of adverse determination shall remain in effect pending the outcome of the informal hearing.

Note: Authority cited: Section 407, Food and Agricultural Code; and Section 11400.20, Government Code. Reference: <u>Section 14651.5, Food and Agricultural Code; and</u> Sections <u>11445.30</u><del>11501, 11502 and 11503</del>, Government Code.

# § 2322.2. Hearing Schedule and Notification.

(a) Supplemental to any procedures set forth in Chapter 4.5 (commencing with Section 11400), Part 1, Division 3, Title 2, of the Government Code, tThe Department Legal Office of Hearings and Appeals shall schedule an informal hearing within 30 days from the receipt of a written request from the respondent.

(b) Formal hearings shall be scheduled by the Department consistent with the provisions of Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2 of the Government Code, and any applicable regulations enacted pursuant to these provisions.

(c) The Department shall provide a notice of the informal hearing to the respondent containing the following information:

(1) Date, location, and time of the informal hearing;

(2) Departmental contact information including applicable telephone and facsimile numbers;

(3) Subject matter of the adverse determination; and,

(4) Any other information or documentation relative to the adverse determination.

(d) The notice of hearing shall be sent to the address of the person charged, as provided by any license or registration issued by the Department.

(e) A notice that is sent pursuant to subsection (d) shall be considered effective, even if delivery is refused or if the notice is not accepted at that address.

Note: Authority cited: Section 407, Food and Agricultural Code; and Section 11400.20, Government Code. Reference: Sections 11501, 11502 and 11503, Government Code.

### § 2322.3. Hearing Procedures.

(a) Hearings shall be presided over and conducted by a Hearing Officer designated by the  $\underline{sS}$ 

(b) The standard of proof to be applied by the Hearing Officer shall be the preponderance of the evidence.

(c) The burden of proof shall be on the respondent.

(<u>c</u><del>d</del>) Hearings may be conducted by telephone, at the discretion of the Hearing Officer.

(<u>d</u>e) The decision of the Hearing Officer shall be in writing. The decision shall be in minute order form, containing only a brief statement of the conclusion and findings to support the conclusion. It may be handwritten.

( $\underline{e}$ f) The decision shall be issued within  $\underline{30}$   $\underline{15}$  days after the conclusion of the hearing and may be issued orally at the conclusion of the hearing subject to written confirmation.

(fg) The written decision shall be served on the respondent either by personal service or, if available, by facsimile transmission, or email.

( $\underline{g}h$ ) The Hearing Officer's decision shall be effective immediately upon first articulation under subsection ( $\underline{e}f$ ) and shall be final and not appealable to the  $\underline{s}Secretary$  or any other officer of the Department.

(<u>h</u><sup>i</sup>) The owner may challenge the Hearing Officer's decision by filing a writ of administrative mandamus in the appropriate court pursuant to Code of Civil Procedure Section 1094.5.

(ij) Hearings shall be recorded by audio tape.

Note: Authority cited: Sections 407, 14502, 14651 and 14651.5, Food and Agricultural Code-; and Section 11400.20, Government Code.

Reference: Sections 14653, 14655, 14681 and 14682, Food and Agricultural Code; and Sections 11425.50 and 11445.10, Government Code.

### § 2323. On Site Inspection of Organic Input Material Manufacturers.

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(c) Organic input materials manufacturers shall maintain all the records demonstrating compliance with the NOP standards <u>for a period of five years</u> and submit complete documentation describing all ingredients, manufacturing processes, process control information, laboratory analysis of incoming ingredients and finished products, and other information as required by the Secretary.

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Note: Authority cited: Sections 407, 14502, 14601, 14641 and 14642, Food and Agricultural Code. Reference: Sections 14601 and 14612, Food and Agricultural Code.

#### ARTICLE 6. MILL ASSESSMENTS ARTICLE 7. MILL ASSESSMENTS

#### § 2326.1. Mill Assessment Rates.

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