

By: Senator(s) Berry

To: Agriculture

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2025

1 AN ACT TO AMEND SECTION 69-24-5, MISSISSIPPI CODE OF 1972, TO  
2 ADD BENEFICIAL SUBSTANCE AND PLANT BIOSTIMULANT TO THE DEFINITION  
3 SECTION OF THE FERTILIZING MATERIALS AND ADDITIVES CHAPTER; TO  
4 AMEND SECTION 69-24-7, MISSISSIPPI CODE OF 1972, TO PROVIDE  
5 ADDITIONAL LABEL REQUIREMENTS FOR SOIL AMENDMENTS AND BIOSTIMULANT  
6 PRODUCTS; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 69-24-5, Mississippi Code of 1972, is  
9 amended as follows:

10 69-24-5. As used in this chapter, the following terms shall  
11 have the definition ascribed to them herein unless the context  
12 requires otherwise:

13 (a) \* \* \* "Beneficial substance" means any substance or  
14 compound, other than primary, secondary and micro plant nutrients,  
15 and excluding pesticides, that can be demonstrated by scientific  
16 research to be beneficial to one or more species of plants, soil  
17 or media. For the purposes of this chapter, the term "beneficial  
18 substance" includes a plant biostimulant, soil amendment and/or  
19 plant amendment and may be used interchangeably with the term  
20 "amending ingredient."



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

(c) "Bulk" means in nonpackaged form.

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

(e) "Distributor" means any person who imports, consigns, manufactures, produces, compounds, mixes or blends soil or plant amendments, or who offers for sale, sells, barter, or otherwise supplies soil or plant amendments in this state.

(f) "Inert ingredients" means the nonamending ingredients present in soil or plant amendments.

(g) "Ingredient form" means the chemical compound, such as salt, chelate, oxide, acid, etc., of an ingredient or the physical form of an ingredient.

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

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

(j) "Labeling" means all written, printed, or graphic matter, upon or accompanying any soil or plant amendment, or



advertisements, brochures, posters, or television or radio announcements used in promoting the sale of such soil or plant amendment.

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

(l) "Official sample" means any sample of soil or plant amendment taken by the commissioner or his agent and designated as "Official" by the commissioner and State Chemist.

(m) "Percent" or "percentage" means parts per hundred by weight.

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

(o) "Plant amendment" means any substance applied to plants or seeds which is intended to improve germination, growth, yield, product quality, reproduction, flavor or other desirable characteristics of plants except commercial fertilizers, soil amendments, agricultural liming materials, unmanipulated animal and vegetable manures, pesticides, plant regulators, Rhizobium legume inoculants, and other materials which may be exempted by regulation; provided that, commercial fertilizer shall be included if it is represented to contain, as an amending ingredient, a substance other than a recognized plant food element or is



represented as promoting plant growth by means other than supplying a recognized plant food element.

(p) "Plant biostimulant" means a substance(s), microorganism(s), or mixtures thereof, that when applied to seeds, plants, the rhizosphere, soil or other growth media, acts to support a plant's natural nutrition processes independently of the biostimulant's nutrient content. The plant biostimulant thereby improves nutrient availability, uptake, use efficiency, tolerance to abiotic stress, consequent growth, development, quality or yield.

( \* \* \*g) "Registrant" means the person who registers soil or plant amendments under the provisions of this chapter.

( \* \* \*r) "Soil amendment" means and includes any substance which is intended to improve the physical, chemical or other characteristics of the soil or improve crop production, except the following: commercial fertilizers, plant amendments, agricultural liming materials, agricultural gypsum, unmanipulated animal manures, topsoil, unmanipulated vegetable manures, pesticides, and herbicides, Rhizobium legume inoculants, and other material which may be exempted by regulation; provided that commercial fertilizer shall be included if it is represented to contain, as an amending ingredient, a substance other than a recognized plant food element or is represented as promoting plant growth by means other than supplying a recognized plant food element.



95 ( \* \* \*s) "Ton" means a net weight of two thousand  
96 (2,000) pounds avoirdupois.

97 ( \* \* \*t) "Weight" means the weight of material as  
98 offered for sale.

99 **SECTION 2.** Section 69-24-7, Mississippi Code of 1972, is  
100 amended as follows:

101 69-24-7. (1) The commissioner and State Chemist may adopt a  
102 rule codifying the Association of American Plant Food Control  
103 Officials, recommended beneficial substances label, which pertains  
104 to plant and soil amendments and plant biostimulant products.  
105 The \* \* \* required information shall include brand, net weight or  
106 net volume, name and address of guarantor, purpose statement,  
107 directions for use, statement of composition showing the amount of  
108 each ingredient, and appear on the fact or display side of all  
109 containers or accompany bulk shipments of soil or plant  
110 amendments; it shall be in a readable and conspicuous form, and  
111 shall be considered the label:

112 (a) Net weight;

113 (b) Brand name;

114 (c) Minimum guaranteed analysis amending ingredients

115 Name of ingredient..... %

116 and continued until all soil and/or plant amending ingredients are  
117 listed and percentages given \* \* \*;

118 (d) Inert ingredients..... %;

119 (e) Purpose of product;



120 (f) Direction for application; and

121 (g) Name and address of the registrant.

122 (2) No information or statement shall appear on any package,  
123 label, delivery slip, or advertising matter which is false or  
124 misleading to the purchaser as to the use, value, quality,  
125 analysis, type or composition of the soil or plant amendment.

126 (3) The commissioner and State Chemist may require proof of  
127 claims made for any soil or plant amendments. If no claims are  
128 made, the commissioner and State Chemist may require proof  
129 obtained in controlled scientific experiments of usefulness and  
130 value of the soil or plant amendment. For evidence of proof they  
131 may rely on experimental data, evaluation, or advice supplied from  
132 such sources as the director of the Mississippi Agricultural and  
133 Forestry Experiment Station and the director of the Mississippi  
134 Cooperative Extension Service. The experimental results shall be  
135 related to Mississippi conditions for which the product is  
136 intended. The commissioner and State Chemist may accept or reject  
137 other sources of proof cited as additional evidence in their  
138 evaluation of soil or plant amendments.

139 (4) No amending ingredient may be listed or guaranteed on  
140 the labels or labeling of soil or plant amendments without the  
141 permission of the commissioner and State Chemist. The  
142 commissioner and State Chemist may allow a soil or plant amending  
143 ingredient to be listed and guaranteed on the label or labeling if  
144 satisfactory supportive data is provided to substantiate the value



145 and usefulness of such soil or plant amending ingredient. The  
146 commissioner and State Chemist may rely on outside sources such as  
147 the Director of the Mississippi Agricultural and Forestry  
148 Experiment Station and the Director of the Mississippi Cooperative  
149 Extension Service for assistance in evaluating the data submitted.  
150 When a soil amending ingredient is permitted to be listed or  
151 guaranteed, its concentration in the soil or plant amendment must  
152 be determinable by approved laboratory methods, and it shall be  
153 subject to inspection and analysis. The commissioner and State  
154 Chemist may prescribe methods and procedures of inspection and  
155 analysis of the soil or plant amending ingredient. The  
156 commissioner and State Chemist may stipulate, by regulation, the  
157 minimum qualities of soil or plant amending ingredient(s) required  
158 in soil or plant amendments.

159 (5) The commissioner and State Chemist may allow labeling by  
160 volume rather than weight in subsection (1) for liquid products.  
161 The commissioner and State Chemist may allow payment of inspection  
162 fees on a calculated weight equivalent to that volume.

163 **SECTION 3.** This act shall take effect and be in force from  
164 and after July 1, 2025.

