

By: Senator(s) Berry

To: Agriculture

## 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 plant biostimulant and soil amendment and may  
19 be used interchangeably with the term "amendment 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 non-amending 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



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

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

52 (l) "Official sample" means any sample of soil or plant  
53 amendment taken by the commissioner or his agent and designated as  
54 "Official" by the commissioner and state chemist.

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

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

59 (o) "Plant amendment" means any substance applied to  
60 plants or seeds which is intended to improve germination, growth,  
61 yield, product quality, reproduction, flavor or other desirable  
62 characteristics of plants except commercial fertilizers, soil  
63 amendments, agricultural liming materials, unmanipulated animal  
64 and vegetable manures, pesticides, plant regulators, Rhizobium  
65 legume inoculants, and other materials which may be exempted by  
66 regulation; provided that, commercial fertilizer shall be included  
67 if it is represented to contain, as an amending ingredient, a  
68 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, and shall be considered a soil amendment for the purposes of this chapter.

( \* \* \* 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



93 growth by means other than supplying a recognized plant food  
94 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, having been  
104 adopted in February 2024, which pertains to plant and soil  
105 amendments and plant biostimulant products. The \* \* \* required  
106 information shall include brand, net weight or net volume, name  
107 and address of guarantor, purpose statement, directions for use,  
108 statement of composition showing the amount of each ingredient,  
109 and appear on the fact or display side of all containers or  
110 accompany bulk shipments of soil or plant amendments; it shall be  
111 in a readable and conspicuous form, and shall be considered the  
112 label:

113 (a) net weight

114 (b) brand name

115 (c) minimum guaranteed analysis amending ingredients

116 name of ingredient . . . . . \_\_\_\_\_ %



and continued until all soil and/or plant amending ingredients are listed and percentages given.

(d) inert ingredients. . . . . \_\_\_\_\_ %

(e) purpose of product

(f) direction for application

(g) name and address of the registrant

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

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

(4) No amending ingredient may be listed or guaranteed on the labels or labeling of soil or plant amendments without the



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

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

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

