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Document No. 4459

**CLEMSON UNIVERSITY**

**STATE CROP PEST COMMISSION**

CHAPTER 27

Statutory Authority: 1976 Code Section 46-26-30

27-180. Minimum Screening and Calcium Carbonate Equivalent Standards

28-181. Investigational Allowances or Tolerances and Penalties

**Synopsis:**

The proposed amendments will clarify and provide standards related to the quality of landplaster, as well as the inspection and registration of commercially sold landplaster used for agricultural purposes.

The Notice of Drafting was published in the *State Register* on December 27, 2013.

**Instructions:**

Replace Regulation 27-180 as listed below.

Replace Regulation 27-181as listed below.

**Text:**

27-180. Minimum Screening, Calcium Carbonate Equivalent and Landplaster Standards.

 All agricultural liming materials shall be classified and labeled in terms of fineness and calcium carbonate equivalent with no less than the following minimum fineness and minimum calcium carbonate equivalent standards. All landplaster offered for sale or distribution shall meet minimum labeled guarantees for calcium and sulfur.

 A. Standards for Classifications in Terms of Fineness

 1. Pulverized

Mesh Screen Minimum Guaranteed to Pass

 20 95%

 100 75%

 2. Standard Ground

Mesh Screen Minimum Guaranteed to Pass

 10 90%

 50 50%

 100 25%

 3. Coarse Ground

Mesh Screen Minimum Guaranteed to Pass

 10 90%

 50 40%

 100 25%

 B. Standards for classifications in terms of calcium carbonate equivalent of agricultural liming materials.

Material Calcium Carbonate Equivalent

Burnt lime Not less than 140%

Hydrated lime Not less than 110%

Shells Not less than 85%

Limestone Not less than 85%

Limestone (75% neutralizing value) Not less than 75%

Industrial slag Not less than 50%

 C. Minimum nutrient guarantees for Landplaster

The minimum labeled guarantees for Landplaster shall be 16% for Calcium and 13% for Sulfur.

27-181. Investigational Allowances or Tolerances and Penalties.

 A. A penalty shall be assessed when the found analysis indicates a deficiency of five percent (5%) or more of the guarantee for calcium carbonate equivalent. The registrant shall refund to the purchaser a penalty equal to two times the actual cash value of the deficiency based on the delivered retail price. The minimum penalty shall be $1.00 per ton.

 B. A penalty of $1.00 per ton shall be assessed for each 5% or portion thereof decrease in the amount passing the 10 mesh screen below the minimum guarantee. A penalty of $0.75 per ton shall be assessed for each 5% or portion thereof decrease in the amount passing the 50 mesh screen below the minimum guarantee. A penalty of $0.50 per ton shall be assessed for each 5% or portion thereof decrease in the amount passing the 100 mesh screen below the minimum guarantee.

 C. A penalty shall be assessed when the found analysis indicates a deficiency of ten percent (10%) or more of the guarantee for one or more of the following: Calcium or Magnesium. The registrant shall refund the purchaser a penalty equal to 2 times the relative commercial value of the deficiency.

 D. In the case of landplaster, a penalty shall be assessed when the found analysis indicates a deficiency of five percent (5%) plus 0.2 units of the guarantees for sulphur and calcium. The registrant shall refund to the purchaser a penalty equal to two times the actual cash value of the deficiency based on the delivered retail price. The minimum penalty shall be $1.00 per ton.

 E. The term "unit" as described in Section 46-25-20 shall include any and every substance or mixtures of agricultural liming materials and landplaster.

**Fiscal Impact Statement:**

There will be no increased cost to the State or its political subdivisions.

**Statement of Rationale:**

Since 2012 land plaster has been regulated through the Agricultural Liming Materials and Landplaster Act (S.C. Code Ann. Section 46-26-10 et al.). Each year approximately 65,000 tons of land plaster is sold in South Carolina. This regulation will give Clemson University’s Department of Plant Industry the ability to adapt and follow the Association of American Plant Food Control Officials (AAPFCO) guidelines for land plaster investigational allowances. By analyzing land plaster samples, South Carolina farmers will have assurance they are receiving the proper amounts of gypsum as the guaranteed analysis of each product suggests.