



TEXAS A&M  
**AGRICULTURE**

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**FERTILIZER INDUSTRY MEMORANDUM NO. 5-8**

**LABEL CLAIMS FOR SOIL CONDITIONERS, COMPOSTS, SLUDGES, OR POTTING SOIL**

**OBJECTIVE:**

To define the phrase "... claimed to have value, in promoting plant growth" Texas Commercial Fertilizer Control Act §63.002(a)(4).

**BACKGROUND:**

Historically, the Office has interpreted this phrase very strictly which meant if a product label bore general descriptor such a "makes grass greener," that product had to be registered as a fertilizer. Over the last several years, products – particularly composts – have entered the marketplace which may contribute to the well-being of the plant due to soil conditioning properties, thus creating a beneficial growing environment.

**POLICY:**

1. All claims of promoting plant growth as described in §63.002(a)(4) of the Texas Commercial Fertilizer Control Act subject the product to the Act.
2. No label expecting exemption may contain:
  - (a) a reference to fertilizer grade;
  - (b) a guarantee of an ingredient or component of a mixture which is known or claimed to have value in plant growth;
  - (c) specific comparisons with any type of commercial fertilizer.
3. Labels may:
  - (a) refer to well-being of the plant due to soil conditioning properties, thus creating a beneficial growing environment;
  - (b) include intensifiers such as greener, redder.

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