26 June 1947

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ARIZONA ATTORNEY GENERAL

W. T. McGeorge, State Chemist,
Arizona Feed and Fertilizer Control Office,
Tucson, Arizona

Dear Sir:

You ask in your letter of May 23, 1947, whether, under the provisions of the fertilizer law, Chapter 49, Article 6, A.C.A. 1939, your department may use its funds to conduct field experiments to determine fertilizers most suitable to Arizona soils.

Section 49-606 mentions that inspection fees are for the acts of "administration and operation"; to the same effect is the appropriation section, 49-624. Under Section 49-620, the State Chemist has the power to "establish a list of grades of mixed fertilizer suitable to meet the agricultural needs of this state", and by Section 49-619 he is empowered to publish information on the same. Finally, under Section 49-621 the State Chemist is authorized to make regulations implementing the duties of the Act.

As one of his regular duties, the State Chemist is empowered to discover the most suitable fertilizers for Arizona soils. In our opinion this is sufficient legal authorization for the expenditure of some of the funds on field experiments which is clearly a method of accomplishing this legislative mandate.

Very truly yours,

JOHN L. SULLIVAN,
Attorney General

WILLIAM P. MAHONEY, Jr.,
Assistant Attorney General

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