

CHAPTER 18C

FERTILIZERS, SOIL AMENDMENTS

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18C.005 DEFINITIONS.

[For text of subs 1 to 12d, see M.S.1992]

Subd. 13. **Grade.** "Grade" means the percentage of total nitrogen (N), available phosphate (P_2O_5), and soluble potash (K_2O) stated in whole numbers in the same terms, order, and percentages as in the guaranteed analysis except the grade of bone meals, manures, and similar raw materials may be stated in fractional units, and specialty fertilizers may be stated in fractional units of less than one percent of total nitrogen, available phosphate, and soluble potash.

[For text of subs 14 to 34, see M.S.1992]

Subd. 35. **Substantially altering; substantially alter; substantial alteration.** "Substantially altering," "substantially alter," or "substantial alteration" means modifying a bulk agricultural chemical storage facility by:

- (1) changing the capacity of a safeguard;
- (2) adding storage containers in excess of the capacity of a safeguard as required by rule;
- (3) increasing the size of the largest storage container in a safeguard as approved or permitted by the commissioner of agriculture; or
- (4) adding or changing anhydrous ammonia storage containers or adding ammonia loading or unloading stations. This does not include routine maintenance of safeguards, storage containers, appurtenances, piping, or existing mixing, blending, weighing, or handling equipment. For dry bulk fertilizer, a person may decrease storage capacity without a substantial alteration permit and may increase storage capacity up to 150 tons per location annually without a substantial alteration permit.

[For text of subs 36 to 38, see M.S.1992]

History: 1993 c 367 s 11,12

18C.115 ADOPTION OF NATIONAL STANDARDS.

[For text of subd 1, see M.S.1992]

Subd. 2. **Adoption of national standards.** Applicable national standards contained in the 1993 official publication, number 46, of the association of American plant food control officials including the rules and regulations, statements of uniform interpretation and policy, and the official fertilizer terms and definitions, and not otherwise adopted by the commissioner, may be adopted as fertilizer rules of this state.

History: 1993 c 367 s 13

18C.131 FERTILIZER INSPECTION ACCOUNT.

A fertilizer inspection account is established in the state treasury. The fees collected under this chapter and interest attributable to money in the account must be deposited in the state treasury and credited to the fertilizer inspection account.

History: 1993 c 172 s 24

18C.211 GUARANTEED ANALYSIS.

Subdivision 1. **N, P, and K nutrient content stated.** (a) Until the commissioner prescribes the alternative form of guaranteed analysis, it must be stated as provided in this subdivision.

(b) A guaranteed analysis must state the percentage of plant nutrient content, if claimed, in the following form:

“Total Nitrogen (N)	... percent
Available Phosphate (P ₂ O ₅)	... percent
Soluble Potash (K ₂ O)	... percent”

(c) For unacidulated mineral phosphatic materials and basic slag, bone, tankage, and other organic phosphate materials, the total phosphate or degree of fineness may also be stated.

[For text of subd 2, see M.S.1992]

Subd. 3. [Repealed, 1993 c 367 s 41]

[For text of subd 4, see M.S.1992]

History: 1993 c 367 s 14

18C.215 FERTILIZER LABELING.

[For text of subd 1, see M.S.1992]

Subd. 2. **Blended, bulk, and mixed fertilizer.** (a) A distributor who blends or mixes fertilizer to a customer's order without a guaranteed analysis of the final mixture or distributes fertilizer in bulk, must furnish each purchaser with an invoice or delivery ticket in written or printed form showing the net weight, name and address of the guarantor, and guaranteed analysis of each of the materials used in the mixture.

(b) Records of invoices or delivery tickets must be kept for five years after the delivery or application.

Subd. 3. [Repealed, 1993 c 367 s 41]

[For text of subds 4 and 5, see M.S.1992]

History: 1993 c 367 s 15

18C.305 FERTILIZER FACILITIES.

[For text of subd 1, see M.S.1992]

Subd. 2. **Permit fees.** (a) An application for a new facility must be accompanied by a nonrefundable application fee of \$100 for each location where fertilizer is stored.

(b) An application to substantially alter a facility must be accompanied by a nonrefundable \$50 fee.

(c) An additional fee of \$250 must be paid by a person who begins construction of, or substantially alters a bulk agricultural chemical storage facility before a permit is issued by the commissioner, except that the \$250 additional fee may not be assessed if the person submits a permit application with the required fee to the commissioner before completing the construction or substantial alteration.

(d) An application for a facility that includes both fertilizers, as regulated under this chapter, and pesticides as regulated under chapter 18B shall pay only one application fee of \$100.

History: 1993 c 367 s 16

18C.551 LICENSE, SAMPLING, AND INSPECTION FEES.

[For text of subds 1 and 2, see M.S.1992]

Subd. 3. **Inspection fees.** An inspection fee, at the rate of five cents per ton, must be paid to the commissioner for all agricultural liming material offered for sale or sold in this state. If more than one person is involved in the distribution of agricultural liming material, the person who first sells or imports the agricultural liming material is responsible for the inspection fee. A person licensed under section 18C.541 must retain invoices showing proof of inspection fees paid.

[For text of subs 4 and 5, see M.S.1992]

History: 1993 c 13 art 1 s 14