

CHAPTER 18C

FERTILIZERS, SOIL AMENDMENTS, AGRICULTURAL
LIMING MATERIALS, AND PLANT AMENDMENTS

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18C.121 RULES.

Subdivision 1. **Administration.** The commissioner may adopt rules necessary to implement and enforce this chapter. The rules must conform to national standards in a manner that is practicable and consistent with state law.

[For text of subs 2 to 4, see M.S.1996]

History: 1997 c 7 art 5 s 1

18C.421 DISTRIBUTOR'S TONNAGE REPORT.

Subdivision 1. **Semiannual statement.** (a) Each licensed distributor of fertilizer and each registrant of a specialty fertilizer, soil amendment, or plant amendment must file a semiannual statement for the periods ending December 31 and June 30 with the commissioner on forms furnished by the commissioner stating the number of net tons and grade of each raw fertilizer material distributed or the number of net tons of each brand or grade of fertilizer, soil amendment, or plant amendment distributed in this state during the reporting period.

(b) A report from a licensee who sells to an ultimate consumer must be accompanied by records or invoice copies indicating the name of the distributor who paid the inspection fee, the net tons received, and the grade or brand name of the products received.

(c) The report is due on or before the last day of the month following the close of each reporting period of each calendar year.

(d) The inspection fee at the rate stated in section 18C.425, subdivision 6, must accompany the statement.

[For text of subs 2 to 5, see M.S.1996]

History: 1997 c 216 s 28

18C.425 APPLICATION AND INSPECTION FEES.

Subdivision 1. **Fertilizer license.** (a) An application for a license for each fixed location to be covered by the license within the state must be accompanied by a nonrefundable application fee of \$100.

(b) An application for a license for all fixed locations of a firm outside of the state must be accompanied by a nonrefundable application fee of \$100.

(c) An application for a license to cover mobile mechanical units must be accompanied by a nonrefundable application fee of \$100 for the first unit operated by one distributor and \$50 for each additional mobile mechanical unit.

Subd. 2. **Specialty fertilizer registration.** An application for registration of a specialty fertilizer must be accompanied by a nonrefundable application fee of \$100 for each brand and grade to be sold or distributed as provided in section 18C.411.

Subd. 3. **Soil amendment and plant amendment registration.** An application for registration of a soil amendment or plant amendment must be accompanied by a nonrefundable application fee of \$200 for each brand sold or distributed as provided in section 18C.411.

[For text of subs 3a to 5, see M.S.1996]

Subd. 6. **Inspection fees.** The person responsible for payment of the inspection fees for fertilizers, soil amendments, or plant amendments sold and used in this state must pay an in-

spection fee of 15 cents per ton of fertilizer, soil amendment, and plant amendment sold or distributed in this state, with a minimum of \$10 on all tonnage reports. Products sold or distributed to manufacturers or exchanged between them are exempt from the inspection fee imposed by this subdivision if the products are used exclusively for manufacturing purposes.

History: 1997 c 216 s 29–32

18C.531 DEFINITIONS.

[For text of subd 1, see M.S.1996]

Subd. 2. Agricultural liming materials. “Agricultural liming materials” means materials whose calcium or magnesium compounds, or both, account for an ENP of 20 percent or more and includes, but is not limited to, burnt lime, hydrated lime, industrial by-product, limestone, and marl.

[For text of subds 3 to 28, see M.S.1996]

History: 1997 c 216 s 33

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

Subdivision 1. Agricultural liming materials license. An application for a license must be accompanied by a nonrefundable application fee of \$150. This fee does not apply to occasional sales of 50 tons or less on an annual basis.

Subd. 2. Fee for late application. If an application for license renewal is not filed before January 1, an additional nonrefundable application fee of 50 percent of the amount due may be assessed before the renewal license is issued.

Subd. 2a. Fee for product use without initial license. An applicant shall pay an additional application fee equal to the amount due for each license required if the applicant has distributed or used products in this state before the commissioner has issued an initial license for the products distributed or used.

Subd. 3. Inspection fees. A person shall pay an inspection fee of five cents per ton to the commissioner for all agricultural liming material offered for sale or sold in this state with a minimum of \$10 on all tonnage reports. If more than one person is involved in the distribution of agricultural liming material, the person who first sells 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.

Subd. 4. Sample and analysis fee. The commissioner may sample agricultural liming material from a source of production to the extent the commissioner considers necessary to implement sections 18C.531 to 18C.575. The commissioner shall charge a sampling fee of \$40 for each sample collected. If the sample and analysis fee is not paid before 60 days after billing, the commissioner shall assess an additional nonrefundable late payment fee of 50 percent of the total sample and analysis fee due.

Subd. 5. Deposit of fees. Fees and penalties collected under sections 18C.531 to 18C.575 must be deposited in the general fund.

History: 1997 c 216 s 34

18C.575 RULES.

Subdivision 1. For administration. The commissioner may adopt rules necessary to administer sections 18C.531 to 18C.575.

[For text of subd 2, see M.S.1996]

History: 1997 c 7 art 5 s 2