



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

To: Manufacturers and Distributors of Fertilizers and Related Products

Dear Applicant:

In order to manufacture or distribute fertilizers and related products, such as soil or plant additives, the company must be licensed to do so in the state of Wisconsin. The products that the company wishes to manufacture or distribute in the state may also require permits. Fertilizer and soil or plant additive license and permit information is provided in this letter. The application forms for licensing your company and those needed to receive a permit to distribute products are enclosed with this letter and available on our website for download. <http://datcp.wi.gov/Environment/Fertilizer/index.aspx>

The pertinent laws and rules for fertilizer and related products are found online at the links below, or you can request that a printed copy be sent. Please review the requirements in the state law and rule, as you are responsible for having the correct license, permits and labeling for fertilizers and related products.

Wisconsin Stat. § 94.64 <http://docs.legis.wisconsin.gov/statutes/statutes/94/64>

Wisconsin Stat. § 94.65 <http://docs.legis.wisconsin.gov/statutes/statutes/94/65>

Wisconsin Administrative Code § ATCP 40 http://docs.legis.wisconsin.gov/code/admin_code/atcp/020/40

Fertilizer License & Permits

If the product contains plant nutrients, as defined in Wis. Stats. § 94.64 (1) (p), the product is a fertilizer (Wis. Stats. § 94.64 (1) (e)). The company will need to have a license to manufacture or distribute fertilizer, and a separate license is required for each business location /mobile unit at which fertilizer is manufactured.

Complete the new fertilizer license application for the legal entity that will be manufacturing or distributing the fertilizer. On the fertilizer license application, complete the "Type of Operation" section by checking all activities which apply to your site (descriptions for Type of Operation listed on the back of the application).

Labels for all products that the company plans to manufacture/ distribute into Wisconsin should be submitted to the department, and sent electronically to the DATCPfert@wisconsin.gov email address. Ensure that the fertilizer labels are in compliance with Wis. Admin. Code § ATCP 40.08 and 40.10.

Permits are required for all fertilizer products that have a combined guarantee of primary plant nutrients that is less than 24% (N+P+K < 24%). Exemptions are listed in Wis. Admin. Code § ATCP 40.12 (2) (a) (b) or (c). When submitting a permit application for each fertilizer product, be sure to indicate the type of permit.

- Nonagricultural fertilizers are for **nonfarm** use, including use for home gardens, lawns, shrubbery, flowers, golf courses, parks, cemeteries, greenhouses, nurseries, etc. (Wis. Stats. § 94.64(1)(Lm))
- Special agricultural-use fertilizers are those that are designed to remedy nutrient deficiencies unique to certain agricultural crops or areas, generally secondary and/or micronutrients. (Wis. Stats. § 94.64(1)(q))

Agriculture generates \$88 billion for Wisconsin

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An equal opportunity employer

Soil or Plant Additive License & Permits

A soil or plant additive is any substance intended to be applied to seeds, soil or plants, and designed for use or claimed to have value in promoting or sustaining plant growth; improving crop yield or quality; promoting or sustaining the fertility of the soil; or favorably modifying the soil's structural, physical or biological properties. Please see Wis. Admin. Code § ATCP 40.02 (41) for a list of exemptions.

Each soil or plant additive product is required to have a permit for sale or distribution in the state. The product permit application requests the method of analysis for each active ingredient. The soil or plant additive label must be in compliance with Wis. Admin. Code § ATCP 40.24 and 40.26, and should be sent electronically to DATCPfert@wisconsin.gov. If label revisions cannot be made to be compliant with Wisconsin regulations, the company must submit a written label format exemption request.

Please note: Products, which have soil or plant additive ingredients or claims, in addition to plant nutrient ingredients or claims, are subject to both fertilizer and soil or plant additive license and permit requirements. These fertilizer-additive combination products also must comply with both fertilizer and soil or plant additive labeling requirements.

Organic Crop Production Exemption - An application for this type of exemption can be submitted for a fertilizer and/or soil or plant additive labeled solely for organic crop production, and must meet **all** qualifications listed in Wis. Admin Code § ATCP 40.12 (2) (d) (1-5).

Tonnage Fees - A tonnage fee of \$0.97 per ton is collected annually on fertilizers distributed and \$0.45 per ton is collected annually on soil or plant additives distributed, so it is important to keep appropriate distribution records. Combination fertilizer/soil or plant additive tonnage must be reported on both the fertilizer tonnage report and the soil or plant additive tonnage report. Tonnage reports are confidential.

A license is valid for up to one year and is not transferable between persons (companies or individuals) or locations. If your company has any changes in company name, location or ownership for any reason in the next year, you must contact the department. These licenses are renewed annually, while permits remain active unless you change the product's label or formulation or fail to renew your license.

- ✓ **Fertilizer License** - \$30.00/\$41.20 – **expires August 14** - \$0.97/ton (reporting July 1-June 30)
 - ✓ Products under 24% (N+P+K) need fertilizer permit - \$25.00 fee per product
 - ✓ Label compliant with Wis. Admin. Code § ATCP 42.08 and 42.10
- ✓ **Soil or Plant Additive License** - \$25.00 - **expires March 31** - \$0.45/ton (reporting Jan 1-Dec.31)
 - ✓ All products require a Soil or Plant Additive Permit - \$100.00 fee per product
 - ✓ Label compliant with Wis. Admin. Code § 42.24 and 42.26

CONTACTS	
STEPHANIE STATZ	(608) 224-4537
SCOTT MAU - Unit Supervisor	(608) 224-4541
EMAIL ADDRESS	DATCPFert@wisconsin.gov
WEB ADDRESS	http://datcp.wisconsin.gov



Wisconsin Dept. of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 Bureau of Agrichemical Management
 Phone: (608) 224-4537
 Email: DATCPFERT@wisconsin.gov

OFFICE USE ONLY	
License Number	
Date Issued	
25900 700SE 1150073000 4600000 70000 \$	
25700 700SE 1150073000 4885000 70000 \$	

Fertilizer License Application

August 15, 2016 to August 14, 2017 (Section 94.64, Wis. Stats. and section ATCP 40.04, Wis. Admin. Code)

LEGAL BUSINESS NAME & CORPORATE ADDRESS			MAILING ADDRESS (IF DIFFERENT FROM CORPORATE ADDRESS)		
LEGAL BUSINESS NAME			C/O		
CONTACT NAME			CONTACT NAME		
CORPORATE STREET ADDRESS			STREET ADDRESS		PO BOX
CITY	STATE	ZIP	CITY	STATE	ZIP
DOING BUSINESS AS NAME			FEDERAL EMPLOYER I D # (FEIN) (OPTIONAL)		

CHECK ONE: Partnership Cooperative Corporation Sole Proprietor LLC PREVIOUS FERTILIZER LICENSE # (IF KNOWN) **30-**

LICENSE REQUIREMENTS:
 No person shall manufacture or distribute fertilizer in this state without an annual license from the Department, but no license shall be required of persons distributing only:
 1. Fertilizer materials to manufacturers for further manufacturing;
 2. Packaged fertilizer in the original container of a licensed manufacturer or distributor as packaged and labeled by the licensee;
 3. Bulk fertilizer obtained for resale purposes from a licensee and properly invoiced using label information furnished by the licensee.
Note: Distributors Only
 If you are only distributing in this state and do not meet an exemption listed above (1,2 or 3), you pay only **one** fee for all Wisconsin sites.
NOTE: Licenses are non-transferable and fees are non-refundable. Additional manufacturing plants or mobile units may not begin operating during the license year without obtaining an additional license and payment of an additional fee, as outlined below.

COMPLETE ONE FORM FOR EACH WISCONSIN SITE. If all sites are outside Wisconsin, use one form to show headquarters (e.g., Main Office).

WISCONSIN SITE INFORMATION: Physical site location inside Wisconsin for this license, if different from above mailing address:

SITE ADDRESS IN WISCONSIN			TYPE OF OPERATION IN WISCONSIN (See reverse side for explanation) (check all that apply)			
CITY	STATE	ZIP	MD <input type="checkbox"/>	Manufacturer: Dry Fertilizer	LC <input type="checkbox"/>	Lawn Care
	WI		ML <input type="checkbox"/>	Manufacturer: Liquid Fertilizer	NA <input type="checkbox"/>	Nonagricultural
WISCONSIN COUNTY	DATE BUSINESS ESTABLISHED AT THIS SITE		D <input type="checkbox"/>	Distributor/Sales	PI <input type="checkbox"/>	Pesticide Impregnation
			AA <input type="checkbox"/>	Anhydrous Ammonia	OF <input type="checkbox"/>	Main Office
Will there be fertilizers and/or fertilizer materials at this site?			DB <input type="checkbox"/>	Dry Blend	SB <input type="checkbox"/>	Branch
<input type="checkbox"/> Yes <input type="checkbox"/> No You must answer this question.			LB <input type="checkbox"/>	Liquid Blend	WA <input type="checkbox"/>	Warehouse

FERTILIZER LICENSE FEE

A. In-State Manufacturers or Distributors holding a current Pesticide Business License #92 or #93 for that site:
 ("Restricted Use Dealer License") 92-_____ - _____ ("Commercial Application Business License") 93-_____ - _____
 Wisconsin site with fertilizer manufacturing or mixing/blending activity, including mobile unit(s): **\$30.00**

B. In-State Manufacturers or Distributors NOT holding a current Pesticide Business License: **\$41.20**

C. Out-of-State Manufacturers or Distributors:
 If you have manufacturing sites or mobile unit(s) in Wisconsin, use "A" or "B" above: **\$41.20**

Note: Distributors Only
 If you are only distributing in this state and do not meet an exemption (see License Requirements above), you pay only **one** fee for all Wisconsin sites.

I certify that all information on this application is true and correct and I am authorized to sign this application. **Incomplete applications will delay the issuance of your license.**

APPLICANT SIGNATURE	YOUR NAME AND TITLE (PRINT OR TYPE)	
DATE	TELEPHONE ()	FAX NUMBER ()
E-MAIL ADDRESS	WEBSITE ADDRESS	

Personal information you provide may be used for purposes other than that for which it was originally collected (sec. 15.04(1)(m), Wis. Stats.).

Make check payable to: Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP)
Mail application form and check to: State of Wisconsin, DATCP, Box 93193, Milwaukee, WI 53293-0193
Send Labels electronically to: DATCPFERT@wisconsin.gov

On the front of this Fertilizer License Application, complete the "Type of Operation" section by checking all activities which apply to your Wisconsin site. Listed below is an explanation of each type of operation:

MD – Manufacturer Dry Fertilizer:	Manufacturer of fertilizer ingredients or producer of fertilizer in which each granule contains the same chemical analysis.
ML – Manufacturer Liquid Fertilizer:	Manufacturing of ammoniated phosphates, including 10-34-0, in Wisconsin. (Includes "Anhydrous Converter".)
D – Distributor/Sales:	Distribute or sell fertilizer with YOUR company label BUT manufactured by another company.
AA – Anhydrous Ammonia:	Storage & distribution of anhydrous ammonia.
DB – Dry Blend:	Blender of dry ingredients as part of business.
LB – Liquid Blend:	Blender of liquid fertilizers, including dilution by lawn care firm.
LC – Lawn Care:	Lawn care firm or lawn care service, along with other fertilizer activities. (Also see: Liquid Blend.)
NA – Nonagricultural:	Labeler of fertilizers for nonagricultural uses such as lawn and garden, indoor plants, nursery, etc.
PI – Pesticide Impregnation:	Pesticide impregnation of fertilizers, either liquid or dry, and either custom or packaged (weed & feed, etc).



Wisconsin Dept. of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 Bureau of Agrichemical Management
 Phone: (608) 224-4541
 Email: DATCPFERT@wisconsin.gov

OFFICE USE ONLY	
Permit No.	
Amt Received	\$
25900 700SE 1150073000 4600000 70100 73	

Application for Permit to Distribute Nonagricultural or Special-Use Fertilizer

(Section 94.64(3m), Wis. Stats., and section ATCP 40.12, Wis. Admin. Code)

LABELER NAME (APPLICANT)		LEGAL BUSINESS NAME (IF DIFFERENT)	
STREET ADDRESS		PO BOX	CITY STATE ZIP
WI Fertilizer License No.	30-	TELEPHONE ()	FAX ()
E-MAIL ADDRESS		WEBSITE ADDRESS	

This application is for the following product:

(For additional products, copy this form and complete for each **mixed fertilizer** containing **less than a total of 24% N + P + K.**)

Brand Name :	Grade:	Fertilizer Product Type: (Circle one)	Special Agricultural Use
Is this product derived from waste or by-products? <input type="checkbox"/> Yes <input type="checkbox"/> No			Nonagricultural
Is this product a pesticide/fertilizer combination product? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, is this product registered as a pesticide in Wisconsin? <input type="checkbox"/> Yes <input type="checkbox"/> No			

NAME OF MANUFACTURER (If other than labeler)	WI FERTILIZER LICENSE NUMBER 30-	TELEPHONE ()
STREET ADDRESS	PO BOX	CITY STATE ZIP

What is required to complete this application for each mixed fertilizer containing less than a total of 24% N + P + K:

- A complete and legible copy of your product label in its final form that complies with all applicable provisions of Wisconsin's Fertilizer laws and rules (Section 94.64, Wis. Stats., and Chapter ATCP 40, Wis. Adm. Code). **Permits are issued in the order in which the complete, legible and compliant labels are received, not the application form.**
- Copies of any printed advertising or informational materials used in connection with the sale of this product. If any non-print communication media are used that make additional performance claims, including testimonials, a printed copy of that material must also be submitted with this application.
- The **nonrefundable \$25 permit fee for each product**, paid by check or money order in United States dollars to the Department of Agriculture, Trade and Consumer Protection.
- A valid and current Wisconsin Fertilizer License, or enclosure of a Wisconsin Fertilizer License application and the appropriate license fee.
- This completed application (**one for each mixed fertilizer containing less than a total of 24% N + P + K**), including the certification below signed by an authorized representative of the applicant.
- Possession of scientific evidence that supports all product performance statements or claims, including statements in testimonials. (Submission of this information is not requested as part of this application, but may be required at any future point by the Department).

Applicant hereby certifies the following:

- When applied for its labeled purposes and according to its label directions, this fertilizer provides available nutrients in amounts that are efficacious and useful under Wisconsin conditions. Except as otherwise specifically disclosed on the product label, use according to label directions provides annual nutrient amounts that equal or exceed annual plant nutrient needs.
- The statements on this fertilizer label and in related advertising and promotional materials, are truthful. The applicant has relevant and reliable information to substantiate all product labeling, including any claim or guarantee related to product contents. The applicant has relevant scientific evidence to substantiate all label statements and all express and implied performance claims.
- This fertilizer product and its labeling comply with ch. ATCP 40, Wis. Adm. Code.

SIGNATURE OF AUTHORIZED REPRESENTATIVE: (REQUIRED)	DATE
NAME (print or type)	TITLE

SEND electronic LABELS for products to: DATCPFERT@wisconsin.gov

Make \$25 check payable to: Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP)
Mail form and check to: State of Wisconsin, DATCP, Box 93193, Milwaukee WI 53293-0193



Wisconsin Department of Agriculture,
Trade and Consumer Protection
Division of Agricultural Resource Management
Bureau of Agrichemical Management
Phone: (608) 224-4541

OFFICE USE ONLY

Date Received at DATCP:

Date Exempted:

Fertilizer or Soil or Plant Additive Exemption Determination For Organic Crop Production

NO FEE REQUIRED

(Wis. Admin. Code §§ ATCP 40.12(2)(d) and 40.28(1)(b))

A fertilizer and/or soil and plant additive labeled solely for organic crop production can be given the permit exemption determination if **ALL** of the following apply:

1. The product qualifies, or all of its ingredients qualify, under 7 CFR 205 for use in organic crop production.
2. The product label discloses the listing or approval under subd. 1.
3. The product label conspicuously states that "**This product is intended for use according to an approved organic system plan.**"
4. The manufacturer or distributor makes no performance claims for the product (verbal, printed or electronic).
5. The product label provides use directions, including use rates and methods of application.

You will receive a copy of this form with an exemption date from the agency when the product is determined to be in compliance with requirements. An exemption is "non-transferable" and remains in effect until substantial changes are made in the product formulation, label or advertising literature or because of a loss of company license.

LABELER NAME (APPLICANT)		WI Fertilizer and/or Soil or Plant Additive License No.	30- 65-
ADDRESS		CITY	STATE ZIP
TELEPHONE ()	FAX ()	E-MAIL ADDRESS	
WEBSITE ADDRESS		LEGAL BUSINESS NAME (IF DIFFERENT)	

This form is for the following product: (For additional products, copy this form and complete one form for each product.)

Brand Name and Grade	Product Type: (circle one or both)	Fertilizer Soil or Plant Additive
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NAME OF MANUFACTURER (If other than labeler)	WI FERTILIZER LICENSE NUMBER 30- 65-	TELEPHONE ()
ADDRESS	CITY	STATE ZIP

Please submit the following along with this completed form:

1. A complete and legible copy of your product label in its final form, that complies with all applicable provisions of Wisconsin's Fertilizer and/or Soil or Plant Additive laws and rules (Sections 94.64, 94.65, Wis. Stats., and Chapter ATCP 40. Wis. Adm. Code).
2. Copies of any printed advertising or informational materials used in connection with the sale of this product. If any non-print communication media are used, including testimonials, that material must also be submitted with this application.
3. A valid and current Wisconsin Fertilizer and/or Soil or Plant Additive license number (above) or enclosure of a Wisconsin Fertilizer and/or Soil or Plant Additive License application and the appropriate license fee.

SIGNATURE OF AUTHORIZED REPRESENTATIVE: (REQUIRED)	DATE
NAME (print)	TITLE

NO FEE REQUIRED Mail form to: State of Wisconsin, DATCP, Box 93193, Milwaukee, WI 53293-0193
SUBMIT LABELS and FORM electronically to: DATCPFERT@wisconsin.gov



Wisconsin Department of Agriculture, Trade and Consumer Protection
Division of Agricultural Resource Management
PO Box 8911
Madison WI 53708-8911
Phone: (608) 224-4500

For Office Use Only
License Number:
Date received:

Request for Social Security Number (SSN) (Section 93.135, Wis. Stats.)

PLEASE READ THIS IMPORTANT NOTICE

PLEASE COMPLETE THIS FORM, ATTACH IT TO THE APPLICATION, AND RETURN IT IN THE ENVELOPE PROVIDED OR MAIL IT TO THE ADDRESS LISTED ON THE APPLICATION.

Section 93.135, Wis. Stats., requires the Department to collect the Social Security Number (SSN) of every Sole Proprietor or individual applying for an original license, registration, permit or certificate. This also applies to married couples listed on the same license. Please copy and complete an additional form for a spouse to be included on the license.

This requirement DOES NOT APPLY TO:

- 1. Any of the following which are registered with the Department of Financial Institutions: Limited Partnerships, Limited Liability Partnerships (LLP), Limited Liability Companies (LLC), Corporations or Cooperatives. Please do not substitute a Federal Employer Identification Number (FEIN) for the SSN, even if you are an individual that holds both of these numbers.
2. General Partnerships. However, any licensee operating as a General Partnership must provide a copy of the legal partnership agreement, or page 1 of its most recently filed IRS form 1065, as proof of their exemption from the requirement (return documentation with your application).

Wisconsin Statute s. 93.135 requires the Department to collect the SSN from each applicant who is an individual or a sole proprietor and provide it to the Department of Children and Families. The Department will handle and protect the confidentiality of SSN in accordance with its Security of Personal Information policy

BY LAW, THE DEPARTMENT MAY NOT ISSUE A LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT TO AN INDIVIDUAL OR SOLE PROPRIETOR UNTIL THE APPLICANT PROVIDES HIS OR HER SSN.

- 1. Individual's Complete Legal Name: First Middle Last
2. Also operating under the following business names (please list if any):
3. Social Security Number (Individuals and Sole Proprietors must provide their SSN) - Do not supply FEIN.

SSN input boxes: [][][] - [][] - [][][][]

NOTE: If this license, permit, certificate, or registration is to be issued to a married couple, each individual must complete a separate form and return it with the application. This form can be photocopied/duplicated. Each individual must complete a separate form.

Personal information you provide may be used for purposes other than that for which it was originally collected. (s. 15.04 (1)(m), Wis. Stats.) Social Security Numbers provided are CONFIDENTIAL by law.