



State of Wisconsin  
Governor Scott Walker

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

To: Manufacturers and Distributors of Fertilizers and Related Products

Dear Applicant:

Enclosed are the forms for licensing your company and registering your products in Wisconsin, along with copies of the pertinent laws and the Wisconsin Administrative Code, Chapter ATCP 40. In order to register your products appropriately, you will need to determine which of the following definitions fit your products:

Nonagricultural fertilizer permits are for **nonfarm** use, such as home gardens, lawns, shrubbery, flowers, golf courses, parks, cemeteries, greenhouse or nurseries, or for research or experimental purposes, according to the Wisconsin Fertilizer Law, Section 94.64(1)(Lm).

Special agricultural-use fertilizer permits are for products designed and labeled for remedying nutrient deficiencies unique to certain **agricultural** crops or certain local areas, as described in Section 94.64(1)(q) of the Wisconsin Fertilizer Law. This generally applies to secondary and/or micronutrients.

Soil or plant additive means 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 Section ATCP 40.02 (41) for a list of exemptions.

Organic crop production exemption – fertilizer or soil or plant additive means a fertilizer and/or soil or plant additive labeled solely for organic crop production that meet **all** of the following to qualify for the exemption:

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.
5. The product label provides use directions, including use rates and methods of application.

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.

If you decide to apply for a nonagricultural or special agricultural-use fertilizer permit, you also need to apply for a "fertilizer license." If you decide to apply for a soil or plant additive permit, you also need to apply for a "soil or plant additive license." These licenses are renewed annually, while the permits remain in effect indefinitely, unless you change the product's label or formulation *or fail to renew your license*. **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.

*Agriculture generates \$88 billion for Wisconsin*

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An equal opportunity employer

On the 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:

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

**Changes in Company Name, Location or Ownership**

A fertilizer license is valid for up to one year and is not transferable between persons (companies or individuals) or locations. If your company changes its name for any reason in the next year, you must contact the department.

CONTACTS	
STEPHANIE STATZ	(608) 224-4537
AMY BASEL PROGRAM MANAGER	(608) 224-4541
EMAIL ADDRESS	DATCPFert@wisconsin.gov
WEB ADDRESS	http://datcp.wisconsin.gov

Enclosures



Wisconsin Department of Agriculture, Trade  
and Consumer Protection  
Division of Agricultural Resource Management  
Bureau of Agrichemical Management  
Phone: (608) 224-4537

**OFFICE USE ONLY**

License Number:

Date Issued:

259 7590 S7 700R 7000 7N

\$

## New Soil or Plant Additive License Application

for April 1, 2015 to March 31, 2016 (Section 94.65, Wis. Stats. and ch. ATCP 40.20, Wis. Adm. Code)

LEGAL BUSINESS NAME & ADDRESS			MAILING ADDRESS (IF DIFFERENT FROM LEGAL ADDRESS)			
LEGAL BUSINESS NAME			C/O			
CONTACT NAME			CONTACT NAME			
STREET ADDRESS		PO BOX	STREET ADDRESS		PO BOX	
CITY	STATE	ZIP	CITY	STATE	ZIP	
DOING BUSINESS AS NAME			FEDERAL EMPLOYER I.D. # (FEIN) (OPTIONAL)			
E-MAIL ADDRESS			WEBSITE ADDRESS			
IF DOING BUSINESS UNDER NEW NAME, LIST PREVIOUS BUSINESS NAME			PREVIOUS SOIL OR PLANT ADDITIVE LICENSE # (IF KNOWN) <b>65-</b>			
<b>CHECK ONE:</b> Partnership <input type="checkbox"/> Cooperative <input type="checkbox"/> Corporation <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> LLC <input type="checkbox"/>					STATE OF FORMATION	
<b>LICENSE REQUIREMENTS</b>						
<p>No person shall manufacture or distribute soil or plant additives in this state without an annual license from the Department and a soil or plant additive product permit issued by the Department for each product, except that no license is required of a person who only distributes a soil or plant additive for a license holder for which the Department has already issued a permit, provided the person:</p> <ol style="list-style-type: none"> <li>Distributes the soil or plant additive under the name of the license holder and in the original container packaged and labeled by the license holder, and</li> <li>Makes no content or performance claim for the soil or plant additive other than the written claim of the license holder.</li> </ol> <p><b>NOTE:</b> Before the department can issue a license to distribute a soil or plant additive, you are required to submit a list of all soil or plant additive products you plan to distribute in Wisconsin. The Department requires you to submit a label for each product and to submit a permit application and fees for each product for which a permit is required. There is a separate application for an exemption determination.</p>						
<b>LICENSE FEE:</b>						
<b>In-State and Out-of-State Manufacturers or Distributors</b>					<b>TOTAL FEE</b>	<b><u>\$25.00</u></b>
List all WISCONSIN sites at which you will distribute or manufacture soil or plant additives.						
Name		Address, City, WI, Zip		WI County		
I hereby certify the above statements to be true and correct:						
SIGNATURE			TITLE			
NAME (PRINT)			TELEPHONE NUMBER ( )		FAX NUMBER ( )	

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.).

**Make check payable to: Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP)**  
**Mail forms, labels and check to: State of Wisconsin, DATCP, Box 93193, Milwaukee WI 53293-0193**

Use this address only if you need a shipping receipt: WDATCP, Lock Box 193, c/o US Bank, 777 E. Wisconsin Ave., Milwaukee WI 53202



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

**OFFICE USE ONLY**

Permit No:

259 7590 S7 700R 7000 7N

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## Application for Permit to Distribute Soil or Plant Additive

(Section 94.65(3), Wis. Stats.)

What is required to complete this application:

1. A complete and legible copy of your product label in its final form, that complies with all applicable provisions of Wisconsin's Soil or Plant Additives laws and rules (Section 94.65, Wis. Stats., and ch. 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 that make additional performance claims, including testimonials, a printed copy of that material must also be submitted with this application.
3. The nonrefundable \$100 permit fee, paid by check or money order in American dollars to the Department of Agriculture, Trade and Consumer Protection.
4. A valid and current Wisconsin Soil or Plant Additive License, or enclosure of a Wisconsin Soil or Plant Additive License Application and the appropriate license fee.
5. This completed application, including the certification below signed by an authorized representative of the applicant.
6. 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).

LEGAL BUSINESS NAME		LABELER (APPLICANT) NAME (IF DIFFERENT FROM LEGAL BUSINESS NAME)	
ADDRESS		CITY	STATE ZIP
Wis. Soil or Plant Additive Lic. No.	65-	TELEPHONE NUMBER ( )	FAX NUMBER ( )
WEBSITE ADDRESS		E-MAIL ADDRESS	

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

Brand Name:	Is this product derived from waste or by-products? (Circle one) Yes No
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NAME OF MANUFACTURER (If other than labeler)	WI SOIL OR PLANT ADDITIVE LICENSE 65-	TELEPHONE ( )
ADDRESS	CITY	STATE ZIP

The method of analysis for each guaranteed active ingredient in the soil or plant additive shall be one of the following: (MUST INDICATE METHOD)

- AOAC Method; specify title or number \_\_\_\_\_ [A method contained in the "Official Methods of Analysis of AOAC International", volume I, 17<sup>th</sup> edition as updated by the 2<sup>nd</sup> revision (2003).]
- For humic substances, the method contained in *Appendix B*, Chapter ATCP 40.
- Other method (approved by department): \_\_\_\_\_

Applicant hereby certifies the following:

- This product is effective and useful for all labeled purposes when applied under Wisconsin conditions according to label directions.
- The statements on the product 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 express and implied performance claims.
- This product and its labeling comply with ch. ATCP 40, Wis. Adm. Code.

<b>SIGNATURE OF QUALIFIED REPRESENTATIVE: (REQUIRED)</b>	DATE
NAME (print)	TITLE

A nonrefundable fee of \$100.00 is required for each product brand name and formulation.

**Make \$100 check payable to:** Wisconsin Department of Agriculture, Trade and Consumer Protection  
**Mail form, labeling materials and check to:** State of Wisconsin, DATCP, Box 93193, Milwaukee WI 53293-0193  
**Use this address only if you need a shipping receipt:** WDATCP, Lock Box 193, c/o US Bank, 777 E. Wisconsin Ave., Milwaukee, WI 53202



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. Adm. 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 meets the permit exemption 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
<p>Please submit the following along with this completed form:</p> <ol style="list-style-type: none"> <li>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).</li> <li>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, a printed copy of that material must also be submitted with this application.</li> <li>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.</li> </ol>		
SIGNATURE OF AUTHORIZED REPRESENTATIVE: (REQUIRED)		DATE
NAME (print)		TITLE

**NO FEE REQUIRED** Mail form and labeling to: **State of Wisconsin, DATCP, Box 93193, Milwaukee, WI 53293-0193**

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.).



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.