



**Fertilizer and soil or plant additive license, tonnage and permit information**

- A business license is required to manufacture or distribute fertilizers and soil or plant additives products.
- Permits are required for some products that a business manufactures or distributes.
- An annual tonnage report and tonnage fees for fertilizers and soil or plant additive products distributed into Wisconsin is required.
- Application forms for licensing a business, reporting tonnage and for the product permits are available on [https://datcp.wi.gov/Pages/Licenses\\_Permits/Fertilizer.aspx](https://datcp.wi.gov/Pages/Licenses_Permits/Fertilizer.aspx) and [https://datcp.wi.gov/Pages/Licenses\\_Permits/SoilPlantAdditives.aspx](https://datcp.wi.gov/Pages/Licenses_Permits/SoilPlantAdditives.aspx).

**Fertilizer** products contains plant nutrients as defined in [Wis. Stats. § 94.64\(1\)\(p\)](#), e.g. Nitrogen, Sulfur, Zinc

**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, e.g. humic acid, beneficial soil bacteria. Exemptions are identified in [Wis. Admin. Code § ATCP 40.02 \(41\)](#).

**Fertilizer-additive combination products** contain both a plant nutrient and a soil or plant additive ingredient. These products required a soil or plant additive permit and if applicable (under 24% N P K) a fertilizer permit as well.

**Pesticide combination products** must also be registered with the department's pesticide program:

[https://datcp.wi.gov/Pages/Programs\\_Services/PesticidesProducts.aspx](https://datcp.wi.gov/Pages/Programs_Services/PesticidesProducts.aspx)

Fertilizer		
Approval	Cost	Timeline
License	\$30 Fee	10/1/2024 to 9/30/2025
Wisconsin location or mobile unit	\$10 ACCP Surcharge = <b>\$40 per location</b> (\$30 + \$10)	
Wisconsin location or mobile unit distributing bulk fertilizer	\$12.50 ACCP Surcharge = <b>\$52.50 per location</b> (\$30 + \$10 + \$12.50)	
Location outside Wisconsin	\$10 ACCP Surcharge = <b>\$40 per location</b> (\$30 + \$10)	
Tonnage	\$0.62/ton, or \$29 minimum	7/1/23 to 6/30/24, paid with license submittal
Permit	\$25	Based on submittal date, annually verify distribution

*NEW* the Agrichemical Cleanup Program (ACCP) surcharge was reinstated for the 2024-25 fertilizer license year; details about the ACCP are found at: [DATCP Home Agricultural Chemical Cleanup Program \(wi.gov\)](#)

Soil or Plant Additive		
Approval	Cost	Timeline
License	\$25 Fee	10/1/2024 to 9/30/2025
Tonnage	\$0.45/ton, or \$27 minimum	7/1/23 to 6/30/24, paid with license submittal
Permit	\$100	Based on submittal date, annually verify distribution

**Paper application process only**

Make checks payable to: Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP)

Mail all forms & checks to: State of Wisconsin, DATCP, Box 93178, Milwaukee WI 53293-0178

**Contact:** Phone: (608) 224-4537 Email: [datcpfert@wisconsin.gov](mailto:datcpfert@wisconsin.gov)

## Licenses

- Are valid until September 30.
- Must be renewed annually. Renewal packets are mailed in August.
- Are required for each Wisconsin business location where products are manufactured.
- Required for an out of state business distributing into Wisconsin.
- Are not transferable between persons (business or individual) or locations. If your business has any changes in the legal entity name, location, or ownership in the next year, contact the department to obtain a new license.
- If you are an individual, partnership or sole proprietor submit the request for social security number form [DARM-BACM-007](#) with your application.

**Tonnage report and fees:** The annual tonnage report and fee is due Sept. 30. Separately report fertilizers and soil or plant additives distributed between July 1 and June 30. Keep appropriate distribution records. Tonnage must be reported on **both** the fertilizer tonnage report and the soil or plant additive tonnage report for fertilizer-additive combination products. Tonnage reports are confidential. If you did not distribute fertilizer in Wisconsin for this timeframe, you must still sign and return the report showing zero tons and note the reason for zero sales/distribution.

## Permit requirements

**Fertilizer** – Required for products having a combined guarantee of primary plant nutrients less than 24% N P K (N+P+K < 24%). Select the type of permit based on the product’s intended use:

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

Permits are not required for fertilizer products that are equal to or greater than 24% N P K (e.g. 10-34-0), or for products derived from one defined ingredient.

**Soil or plant additive** – Required for all soil or plant additive products for sale or distribution in the state. The permit application requests the method of analysis for each active ingredient.

**Exemption for organic crop production** – Fertilizer and/or soil or plant additive products labeled solely for organic crop production, which meets **all** qualifications listed in Wis. Admin Code § ATCP 40.12 (2)(d)(1-5) can apply for this exemption.

Permits remain active for the life of the business and product unless the ownership of the business, the product’s active ingredient contents, or recommended amount or frequency of application change.

## Product Permit Listing

A listing of your company’s products with active fertilizer and/or soil or plant additive permits is included with the annual renewal packet. A listing of products that are exempt from needing the permit is also included. Failure to return the completed and signed listing(s) will delay your license renewal.

- Circle “Active” for each product that the company will continue to sell or distribute in Wisconsin.
- Circle “Discontinued” for each product that will no longer be sold or distributed in Wisconsin.

## Labeling

- Fertilizer product labels must comply with Wis. Admin. Code § ATCP 40.08 and 40.10.
- Soil or plant additive product label must comply with Wis. Admin. Code § ATCP 40.24 and 40.26.

**Law and Rule** for license, permit, labeling, tonnage and other requirements are within:

- Fertilizer: Wis. Stat. § 94.64 <http://docs.legis.wisconsin.gov/statutes/statutes/94/64>
- Soil or plant additive: Wis. Stat. § 94.65 <http://docs.legis.wisconsin.gov/statutes/statutes/94/65>
- Fertilizer and Soil or plant additive: Wis. Admin. Code § ATCP 40 [http://docs.legis.wisconsin.gov/code/admin\\_code/atcp/020/40](http://docs.legis.wisconsin.gov/code/admin_code/atcp/020/40)