



Fertilizer Requirements for Lawn Care Businesses

Fertilizer and soil or plant additives are governed by Ch. ATPC 40 Wis. Admin. Code.

The following information is a summary of the regulation. For a more detailed explanation of that code, visit https://datcp.wi.gov/Pages/Programs_Services/LawnCareServices.aspx.

Fertilizer

A product is a fertilizer when it contains a plant nutrient, which will be listed on the label's guaranteed analysis for the minimum guarantee of each plant nutrient:

1. primary nutrients ATPC 40.02(32): nitrogen (N), phosphorous (P), or potassium (K)
2. secondary nutrients ATPC 40.02(38): calcium (Ca), magnesium (Mg), or Sulfur (S)
3. micronutrient ATPC 40.02(22): boron (B), chlorine (Cl), copper (Cu), iron (Fe), manganese (Mn), molybdenum (Mo), nickel (Ni), or zinc (Zn)

Soil or Plant Additive

Soil and plant additives are substances applied to seed, soil, or plants that claim to improve plant growth, crop yield or quality, or soil properties.

Fertilizer and Soil or Plant Additive License, Tonnage, and Permits

To manufacture or distribute fertilizer or soil or plant additive products (sometimes called soil amendment) into Wisconsin, an annual business license is required. Licenses are valid annually from October 1 to September 30. Annually businesses report tonnage and pay fees on products distributed into Wisconsin between July 1 and June 30.

Some fertilizer and soil or plant additive products require permits. Product permits remain active for the life of the company and product, unless the ownership of the company, the product's active ingredient contents, or recommended amount or frequency of application change.

Combination products contain both a fertilizer and either a soil or plant additive substance or pesticide (e.g. weed and feed). These products *are regulated by more than one code*.

Fertilizer	Soil or Plant Additive
\$30 license fee A license is required when you change a fertilizer's nutrient guarantee; it is considered manufacturing. Likewise, a license is required to relabel an existing fertilizer product with your own branded label. If you're only purchasing fertilizers and applying them according to their label directions, you are exempt from fertilizer license requirements.	\$25 license fee
Tonnage: \$0.62/ton. Weight of the entire product is reported, not just the plant nutrient component.	Tonnage: \$0.45/ton each soil or plant additive products distributed.
Permit: \$25 per permit. Required for each product having a combined guarantee of primary plant nutrients less than 24% N P K (N+P+K < 24%). Permits are not required for products that are equal to or greater than 24% N P K (e.g. a 32-0-0 grade) or those derived from a single defined ingredient.	Permit: \$100 per permit. Each soil or plant additive product is required to obtain a permit.

Containment of Fertilizers and Pesticides

Bulk storage regulations apply when you store fertilizers or pesticides in containers larger than 55 gallons or 100 pounds. A mix/load pad is necessary to transfer bulk product into a mobile container or vehicle. Secondary containment structures are required for all containers larger than 55 gallons liquid or 100 pounds dry, and including mobile containers kept at a storage facility for more than seven days. Rinsate must be managed appropriately, and a discharge response plan must be developed.

For more information:

DATCP's Fertilizer webpage has the license application, tonnage reporting, and permit application forms:

https://datcp.wi.gov/Pages/Licenses_Permits/Fertilizer.aspx

DATCP's Soil or Plant Additives webpage has the license, tonnage report, and permit application forms:

https://datcp.wi.gov/Pages/Licenses_Permits/SoilPlantAdditives.aspx

DATCP's Lawn Care Services webpage:

https://datcp.wi.gov/Pages/Programs_Services/LawnCareServices.aspx

Restrictions on the use and sale of turf fertilizer containing phosphorus are outlined in this document:

<https://datcp.wi.gov/Documents2/TurfFertilizerRestrictions.pdf>

DATCP's Fertilizer and Pesticide Bulk Storage Requirements webpage:

https://datcp.wi.gov/Pages/Programs_Services/AgriculturalChemicalStorageAndContainment.aspx

Contact:

Fertilizer Program – DATCPfert@wisconsin.gov

Containment Program - DATCPfert@wisconsin.gov

Controlling Weeds? If yes you are applying a pesticide, regulatory information at:

[DATCP Home Commercial Pesticide Application Business License](#)