



2017

INDIANA FERTILIZER CONTROL SUMMARY REPORT OF ACTIVITIES

Office of
INDIANA STATE CHEMIST & SEED COMMISSIONER

Protecting Indiana's Agriculture and Environment – Feed, Fertilizer, Pesticide, and Seed

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The Indiana fertilizer program administers the Indiana Agricultural Ammonia Law (IC 15-16-1), Indiana Commercial Fertilizer Law (IC 15-16-2), and the Commercial Lawn Care Service Fertilizer Law (IC 15-16-3).

• OUR MISSION

The mission of the Office of Indiana State Chemist Fertilizer Section is consumer protection in the marketplace, to assure that fertilizer materials are true to claims made of the product. The Fertilizer Section also monitors safety in storage of bulk fertilizers, handling, and use of fertilizer material (including agricultural anhydrous ammonia) to protect all who come in contact with the product and to safeguard the waters of the state.

• PRODUCT REGISTRATION IN 2017

Registration fees for small package, 12 pounds or less, are \$50 per grade of each brand, and large package, greater than 12 pounds or bulk, are \$20 per grade of each brand. Registrations received after July 31 are subject to a late fee equal to 100% of the appropriate filing fee. Throughout 2017, the office conducted extensive product sampling and testing, including marketplace review and inspections to support administration of the fertilizer law. Registration for the year was approved for 9,552 products and over 2 million tons of fertilizer reported for distribution. The five-year average is 9,436 products. Companies that had fertilizer products registered for distribution and sale numbered 680 for the year with a five-year average of 693 per year.

• CERTIFICATION FOR DISTRIBUTORS AND USERS OF FERTILIZER MATERIAL RULES

The rules requiring those that use fertilizer materials for hire, apply manure that came from a CFO or distribute fertilizer material to be licensed and certified (Category 14 - Agricultural Fertilizer Management) became effective January 1, 2012.

The 2007 Indiana census data shows that 87% of the animals reported were from 1,475 confined feeding operations. Currently there are 1,821 permitted farms in Indiana housing over 80 million animals (IDEM Feb 2018). The certification rule establishes a chain of custody for the manure for those that distribute or use manure must be licensed through OISC. OISC has 1,076 licensed businesses and 2,984 individuals certified in Category 14.

• FERTILIZER MATERIAL USE, DISTRIBUTION, AND RECORD KEEPING RULES

This rule became effective February 16, 2013 and established manure staging and application requirement for nearly any individual that has livestock or uses manure as a fertilizer. In 2017 OISC received 68 complaints relating to manure staging or use.

• SAMPLING AND ANALYSIS IN SUPPORT OF THE COMMERCIAL FERTILIZERS LAW

A total of 2,137 samples were collected through numerous dealer and distributor locations in the state, five-year average of 2,273 samples. The inspection and laboratory staff examined labeling matter and composition of those various lots of fertilizer throughout the state for truth in labeling and guarantee of analysis. The guarantees checked included not only the primary nutrients of nitrogen, phosphate, and potassium, but also calcium, magnesium, sulfur, boron, copper, iron, manganese, and zinc. A total of 4,552 different nutrient guarantees were analyzed. Out of 2,137 samples reviewed by the laboratory staff, deficiencies were detected in 170 (7.95% failure rate).

	<u># Samples Obtained</u>	<u># Samples Passed</u>	<u>% Passed</u>
	2,137	1,967	92.0%
Five-year average	2,273	2,022	88.9%
Samples taken in 2007	2,564	2,244	87.5%
Samples taken in 1997	2,870	2,443	85.1%
Samples taken in 1967	3,598	2,243	62.3%
Samples taken in 1917	919	830	90.3%

Under the Commercial Fertilizer Law, the State Chemist may require refunds to be paid to the purchasers of deficient fertilizer amounting to the value of the deficiency. Pursuant to this provision, \$38,420 was refunded either to the purchaser or the product registrant made a donation to a local charitable or educational organization of the registrant's choice when the purchaser was not known. The five-year average is \$47,139.

- **LICENSING OF COMMERCIAL LAWN CARE SERVICE COMPANIES IN 2017**

This program began in July 1992 by defining and recognizing lawn care service liquid fertilizer distribution as a separate entity from agricultural distribution of fertilizer. The law provides an alternative means for compliance with product registration, payment of inspection fees and reporting of tonnage distribution. For the year 2017, 90 licenses were issued under the law. The five-year average is 110 firms being licensed.

- **STORAGE FACILITY REGISTRATIONS IN 2017**

A total of 889 bulk fertilizer or pesticide storage facility location registrations were submitted as required by the Bulk Containment Rules and specified under 355 IAC 2-9-1. The five-year average is 898 sites registered. Containment maintenance is being targeted and testing of holding integrity at the sump location is being conducted at retail establishments.

- **ANHYDROUS AMMONIA FACILITY INSPECTIONS**

Detailed inspections were conducted by the agricultural ammonia specialist at the 320 agricultural ammonia storage facility over the last 4 years. Inspections at each facility continue to occur at least every 3 years by inspection field staff and the specialist to ensure compliance with OISC rules.

- **AGROCHEMICAL FACILITY INSPECTIONS**

Our field inspection staff conducted 60 agrochemical facility inspections in 2017. These inspections serve as a compliance check with OISC containment rules as well as part of our Memorandum of Agreement with the Indiana Department of Environmental Management with their storm water program. Furthermore, OISC visits more than 300 bulk fertilizer dealers and conducts basic containment inspections while collecting product samples.

- **FUTURE ACTIVITIES**

The OISC fertilizer section continues to have working relationships with local, state and national groups as issues pertaining to fertilizers and the environment develop. We continue to be active in the Association of American Plant Food Control Officials organization. Continued enforcement of the fertilizer use and distribution rules, including complaint investigations is a priority as OISC coordinates complaints with the Indiana Department of Environmental Management.

The inclusion of microbial products into the commercial fertilizer has increased dramatically. OISC will register these products and monitor them for efficacy and label claims.

Information accurate as of 2/6/18