

Sustainable Soils Forum September 18 , 2014
McKimmon Center, Raleigh , N.C.

Lunchtime Panel:
“Obtaining Regulatory Approvals for Soils-Based Applications”

Comments of Danny Turner,
NC Department of Agriculture & Consumer Services,
Seed and Fertilizer Section Administrator

Value Added Product Registration Process

Step # 1

Contact North Carolina Division of Environment and Natural Resources (DENR) . Explain what type of product that you are trying to promote . They will explain if you will be regulated by the Solid Waste Section, the Water Quality Section or exempted from permitting . Animal waste will be handled through Water Quality for both in state and out of state companies .

Step # 2

If you are not already in the process of having your product analyzed, this is the time to start . This will give you the information you will need in determining how to label your finished product . A great resource is the North Carolina Department of Agriculture’s Agronomic Division’s Waste Analysis Section. Another resource would be private labs, but ask them to provide information in reports in agronomic terms especially if there is nutrient availability as product breaks down. A recommended list can be provided.

Copies if anyone would like one !

Once you have received and reviewed your analysis report , start developing a label. There are some resources available for assisting with the format; NCDCA Fertilizer Regulations , AAPFCO Official Publication (Association of American Plant Food Control Officials) and by just viewing product labels already on the market. There are not any federal regulations on fertilizer and lime product labeling but each state has it’s own laws/ regulations . There are lots of uniformity by states .I will caution you not to take anything for granted just because it is approved by one state. Most all states use the publication as a guide for reference to materials . One main item a label must have stated is net weight if it claims nutrient guarantees . Fertilizer and or fertilizer material cannot be sold by volume.

Copies of Fertilizer Law available.

On waste products , companies do like to advertise OMRI (Organic Materials Review Institute) logo, as approval of their product as organic . Our organic label rule is completely different in labeling of nitrogen guarantees . It states if you brand name your product organic then a minimum of 15 % of the total nitrogen guarantee must be stated as water insoluble nitrogen (WIN) and then give all other portions to equal back to total . Example total nitrogen is 5% so WIN would be stated on label as .75% so you would list all other sources making up the 4.25% to equal 5%. These could be nitrate nitrogen , water soluble nitrogen, etc. You may not claim coated urea as a organic source because the product has to release naturally over time . The phosphate is stated as Available Phosphate and potash as Soluble Potash.

One other item for N.C. only is that if you guarantee Magnesium or Manganese or both that you will need to guarantee the water soluble portion underneath total guarantee even if 0.0 %

Magnesium .5%

Then half of total the guarantee would be Water Soluble Magnesium you would state

Water Soluble Magnesium .25%

This basic information relating to labeling is one of our responsibilities in reviewing and approving labels for compliance to North Carolina under our Fertilizer Laws and Regulations. Waste products if trying to register as a fertilizer, would be regulated under same requirements.

Due to the climate in North Carolina, agricultural cropping systems and horticultural production uses approximately 1,250,000 tons annually of fertilizer , 730,000 tons of liming material and 90,000 tons of gypsum. Waste of all types are utilized in production of crops .

There are products that are used for Soil Additives that cannot make nutrient claims or liming claims but can improve the soil or planting medium to aid plant root structure , water and air movement or increase microbial activity. These are regulated by our section . Label and ingredient approval is required for registration , company license not required.

Step # 3

Develop a label with the company name , the brand name of the product, the guarantees and label claims and the instructions on use and directions for application of the product. Then submit paperwork to our office.

Contact information :

North Carolina Department of Agriculture Plant Industry Division

Seed and Fertilizer Section

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ncagr.gov/plantindustry/seedandfertilizer

**North Carolina Department of Agriculture Agronomic Division / Waste
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