WASHINGTON STATE DEPARTMENT OF AGRICULTURE
FRIDAY, JANUARY 5TH 2018

DOUG WARNER
FERTILIZER COMPLIANCE AND TONNAGE AUDITOR
CUSTOMER-FORMULA FERTILIZER

• RCW’S & WAC’S REFERRED TO AS CUSTOMER-FORMULA FERTILIZER

• FERTILIZER REGISTRATION GUIDANCE DOCUMENT REFERRED TO AS “CUSTOMER FORMULA FERTIZER MIXES” OR “CFM’S”

• ALSO REFERRED TO AS COMPOUND, MIX, BLEND OR BLENDED FERTILIZER.
CUSTOMER-FORMULA FERTILIZER

• RCW 15.54.270 – DEFINITIONS (6) “CUSTOMER-FORMULA FERTILIZER” MEANS A MIXTURE OF COMMERCIAL FERTILIZER OR MATERIALS OF WHICH EACH BATCH IS MIXED ACCORDING TO THE SPECIFICATIONS OF THE FINAL PURCHASER.
CUSTOMER-FORMULA FERTILIZER

- RCW 15.54.270 – DEFINITIONS (4) “COMMERCIAL FERTILIZER” MEANS A SUBSTANCE CONTAINING ONE OR MORE RECOGNIZED PLANT NUTRIENTS AND THAT IS USED FOR ITS PLANT NUTRIENT CONTENT OR THAT IS DESIGNATED FOR USE OR CLAIMED TO HAVE VALUE IN PROMOTING PLANT GROWTH, AND SHALL INCLUDE LIMES, GYPSUM, AND MANIPULATED ANIMAL AND VEGETABLE MANURES. IT DOES NOT INCLUDE UNMANIPULATED ANIMAL AND VEGETABLE MANURES, ORGANIC WASTE-DERIVED MATERIAL, AND OTHER PRODUCTS EXEMPTED BY THE DEPARTMENT BY RULE.
CUSTOMER-FORMULA FERTILIZER

• RCW 15.54.325 COMMERCIAL FERTILIZER REGISTRATION – REQUIRED FOR DISTRIBUTION – APPLICATION (2) (g) THE CONCENTRATION OF EACH METAL, FOR WHICH STANDARDS ARE ESTABLISHED UNDER RCW 15.54.800, IN EACH PRODUCT BEING REGISTERED, UNLESS THE PRODUCT IS (ii) A CUSTOMER-FORMULA FERTILIZER CONTAINING ONLY REGISTERED COMMERCIAL FERTILIZERS,
CUSTOMER-FORMULA FERTILIZER

- RCW 15.54.325 COMMERCIAL FERTILIZER REGISTRATION – REQUIRED FOR DISTRIBUTION – APPLICATION (3) ALL COMPANIES PLANNING TO MIX CUSTOMER-FORMULA FERTILIZERS SHALL INCLUDE THE STATEMENT “CUSTOMER-FORMULA GRADE MIXES” UNDER THE COLUMN HEADED “PRODUCT NAME” ON THE PRODUCT REGISTRATION APPLICATION FORM. ALL CUSTOMER-FORMULA FERTILIZERS SOLD UNDER ONE BRAND NAME SHALL BE CONSIDERED ONE PRODUCT.
CUSTOMER-FORMULA FERTILIZER

- RCW 15.54.340 LABELING REQUIREMENTS (3) EACH DELIVERY OF A CUSTOMER-FORMULA FERTILIZER IN THIS STATE MUST BE ACCOMPANIED BY EITHER A STATEMENT, INVOICE, A DELIVERY SLIP, OR A LABEL IF BAGGED, CONTAINING THE FOLLOWING INFORMATION: THE NET WEIGHT; THE BRAND; THE NAME AND AMOUNT OF EACH OF EACH INGREDIENT; THE GUARANTEED ANALYSIS WHICH MAY BE STATED TO THE NEAREST TENTH OF A PERCENT OR TO THE NEXT LOWER WHOLE NUMBER; THE NAME AND ADDRESS OF THE REGISTRANT OR LICENSEE, OR MANUFACTURER, OR BOTH; AND THE NAME AND ADDRESS OF THE PURCHASER.
CUSTOMER-FORMULA FERTILIZER

• RCW 15.54.340 LABELING REQUIREMENTS (4) EACH DELIVERY OF A CUSTOMER-FORMULA FERTILIZER MUST CONTAIN THE INGREDIENTS SPECIFIED BY THE PURCHASER. A RECORD OF THE INVOICE OR STATEMENT OF EACH DELIVERY MUST BE KEPT BY THE REGISTRANT OR LICENSEE FOR TWELVE MONTHS AND MUST BE AVAILABLE TO THE DEPARTMENT ON REQUEST.
CUSTOMER-FORMULA FERTILIZER

Washington State
Department of Agriculture

Fertilizer
Registration
Guidance Document

Pesticide Management Division
Registration Services
PO Box 42589
Olympia WA 98504-2569

Telephone: (360)902-2025
Fax: (360)902-2093
E-mail: fertreg@agr.wa.gov

PUB# (R/10/18)
Inquiries regarding availability of this publication in alternative formats should be directed to the WSDA at (360) 900-1976 or Telecommunications Device for the Deaf (TDD) (800) 433-1910
CUSTOMER-FORMULA FERTILIZER
CUSTOMER-FORMULA FERTILIZER

• Customer Formula Fertilizer Mixes (CFMs)

• A CFM must be formulated and mixed according to each customer's requests. This mix is blended in bulk for only one customer to use. It cannot be resold without first being registered. All of the commercial fertilizer products going into the blend must be registered with WSDA. The end product (CFM) can be bagged for the one customer, if requested. The CFM must have labeling attached with all the elements of the label included. The CFM mix formulas and records must be kept for one year. The customer name and address must accompany this information.

• "CFM" is registered as a product with other fertilizers on the 4300B Form. All customer formula mixes that are sold under one brand name such as Blue Bird are considered one product. No specific guaranteed analysis or metals are required on the form because the "CFM" can only be made from registered fertilizers and change with each blend.

• Each delivery of a customer-formula fertilizer mix (CFM) must contain those ingredients specified by the final purchaser. A CFM is only for the customer requesting the mix and should only be used by that customer, not resold to others. A CFM is only for use, not for retailing or reselling.
CUSTOMER-FORMULA FERTILIZER

• A CFM must be formulated and mixed according to each customer's requests.
CUSTOMER-FORMULA FERTILIZER

• A CFM must be formulated and mixed according to each customer's requests.
• This mix is blended in bulk for only one customer to use.
CUSTOMER-FORMULA FERTILIZER

• A CFM must be formulated and mixed according to each customer's requests.
• This mix is blended in bulk for only one customer to use.
• It cannot be resold without first being registered.
CUSTOMER-FORMULA FERTILIZER

• A CFM must be formulated and mixed according to each customer's requests.
• This mix is blended in bulk for only one customer to use.
• It cannot be resold without first being registered.
• All of the commercial fertilizer products going into the blend must be registered with WSDA.
CUSTOMER-FORMULA FERTILIZER

• A CFM must be formulated and mixed according to each customer's requests.
• This mix is blended in bulk for only one customer to use.
• It cannot be resold without first being registered.
• All of the commercial fertilizer products going into the blend must be registered with WSDA.
• The end product (CFM) can be bagged for the one customer, if requested.
CUSTOMER-FORMULA FERTILIZER

• The CFM must have labeling attached with all the elements of the label included.
CUSTOMER-FORMULA FERTILIZER

• The CFM must have labeling attached with all the elements of the label included.

• The CFM mix formulas and records must be kept for one year.
CUSTOMER-FORMULA FERTILIZER

• The CFM must have labeling attached with all the elements of the label included.
• The CFM mix formulas and records must be kept for one year.
• The customer name and address must accompany this information.
CUSTOMER-FORMULA FERTILIZER

• The CFM must have labeling attached with all the elements of the label included.
• The CFM mix formulas and records must be kept for one year.
• The customer name and address must accompany this information.
• "CFM" is registered as a product with other fertilizers on the 4300B Form.
CUSTOMER-FORMULA FERTILIZER

• The CFM must have labeling attached with all the elements of the label included.
• The CFM mix formulas and records must be kept for one year.
• The customer name and address must accompany this information.
• "CFM" is registered as a product with other fertilizers on the 4300B Form.
• All customer formula mixes that are sold under one brand name such as Blue Bird are considered one product.
CUSTOMER-FORMULA FERTILIZER

• No specific guaranteed analysis or metals are required on the form because the "CFM" can only be made from registered fertilizers and change with each blend.
CUSTOMER-FORMULA FERTILIZER

• No specific guaranteed analysis or metals are required on the form because the "CFM" can only be made from registered fertilizers and change with each blend.

• Each delivery of a customer-formula fertilizer mix (CFM) must contain those ingredients specified by the final purchaser.
CUSTOMER-FORMULA FERTILIZER

• No specific guaranteed analysis or metals are required on the form because the "CFM" can only be made from registered fertilizers and change with each blend.

• Each delivery of a customer-formula fertilizer mix (CFM) must contain those ingredients specified by the final purchaser.

• A CFM is only for the customer requesting the mix and should only be used by that customer, not resold to others.
CUSTOMER-FORMULA FERTILIZER

• No specific guaranteed analysis or metals are required on the form because the "CFM" can only be made from registered fertilizers and change with each blend.

• Each delivery of a customer-formula fertilizer mix (CFM) must contain those ingredients specified by the final purchaser.

• A CFM is only for the customer requesting the mix and should only be used by that customer, not resold to others.

• A CFM is only for use, not for retailing or reselling
CUSTOMER-FORMULA FERTILIZER

• #1 GROWER COMPLAINT THAT IS FERTILIZER SAMPLED
CUSTOMER-FORMULA FERTILIZER

• #1 GROWER COMPLAINT THAT IS FERTILIZER SAMPLED
• IF, ALL THE CUSTOMER-FORMULA FERTILIZER REQUIREMENTS ARE FOLLOWED, ONCE THE COMPLAINT FERTILIZER IS SAMPLED, THE POSITIVE RESULT GOES TO THE BLENDER AND NOT THE GROWER.
CUSTOMER-FORMULA FERTILIZER

• #1 GROWER COMPLAINT THAT IS FERTILIZER SAMPLED

• IF, ALL THE CUSTOMER-FORMULA FERTILIZER REQUIREMENTS ARE FOLLOWED, ONCE THE COMPLAINT FERTILIZER IS SAMPLED, THE POSITIVE RESULT GOES TO THE BLENDER AND NOT THE GROWER.

• REAL LIFE EXAMPLES
CUSTOMER-FORMULA FERTILIZER

ANY QUESTIONS?
FERTILIZER SAMPLING
FERTILIZER SAMPLING

• **15.54.370**
  Official samples—Inspection, analysis, testing—Right of entry.

• (1) It shall be the duty of the department to inspect, sample, make analysis of, and test commercial fertilizers distributed within this state at such time and place and to such an extent as it may deem necessary to determine whether such fertilizers are in compliance with the provisions of this chapter. The department is authorized to stop any commercial vehicle transporting fertilizers on the public highways and direct it to the nearest scales approved by the department to check weights of fertilizers being delivered. The department is also authorized, upon presentation of proper identification, to enter any distributor's premises, including any vehicle of transport, at all reasonable times in order to have access to commercial fertilizers and to records relating to their distribution.
• 15.54.370
Official samples—Inspection, analysis, testing—Right of entry.

• (2) The methods of sampling and analysis shall be those adopted by the department from officially recognized sources.
• **15.54.370**
  Official samples—Inspection, analysis, testing—Right of entry.

• (3) The department, in determining for administrative purposes whether a fertilizer is deficient in any component or total nutrients, shall be guided solely by the official sample as defined in RCW **15.54.270** and obtained and analyzed as provided for in this section.
FERTILIZER SAMPLING

• 15.54.370
  Official samples—Inspection, analysis, testing—Right of entry.

• (4) When the inspection and analysis of an official sample has been made, the results of analysis shall be forwarded by the department to the registrant or licensee and to the purchaser, if known. Upon request and within thirty days, the department shall furnish to the registrant or licensee a portion of the sample concerned.
FERTILIZER SAMPLING

• 15.54.370
  Official samples—Inspection, analysis, testing—Right of entry.

• (5) Analysis of an official sample by the department shall be accepted as prima facie evidence by any court of competent jurisdiction.
FERTILIZER SAMPLING

• 15.54.380
  Penalties for deficiencies upon analysis of commercial fertilizers—
  Appeal—Disposition of penalties.
FERTILIZER SAMPLING

• 15.54.412
  Misbranding.
FERTILIZER SAMPLING

• **15.54.420**
  Unlawful acts.

• (4) Distribute a commercial fertilizer product which has not been registered with the department;
FERTILIZER SAMPLING

• 15.54.440
  "Stop sale," "stop use," or "withdrawal from distribution" order, when issued—Release—Associated costs.
FERTILIZER SAMPLING

• ANY QUESTIONS?