

CHAPTER 18C

FERTILIZER, SOIL AMENDMENT, AND PLANT
AMENDMENT

18C.415 FERTILIZER LICENSES.

18C.421 TONNAGE REPORT.

18C.425 APPLICATION AND INSPECTION

FEES.

18C.415 FERTILIZER LICENSES.*[For text of subs 1 and 2, see M.S.2008]*

Subd. 3. **Effective period.** Licenses are for the period from January 1 to the following December 31 and must be renewed annually by the licensee before January 1. A license is not transferable from one person to another, from the ownership to whom issued to another ownership, or from one location to another location.

*[For text of subd 4, see M.S.2008]***History:** 2009 c 94 art 1 s 62**18C.421 TONNAGE REPORT.**

Subdivision 1. **Annual tonnage report.** (a) Each registrant under section 18C.411 and licensee under section 18C.415 shall file an annual tonnage report for the previous year ending June 30 with the commissioner, on forms provided or approved by the commissioner, stating the number of net tons of each brand or grade of fertilizer, soil amendment, or plant amendment distributed in this state or the number of net tons and grade of each raw fertilizer material distributed in this state during the reporting period.

(b) A tonnage report is not required to be submitted and an inspection fee under section 18C.425, subdivision 6, is not required to be paid to the commissioner by a licensee who distributes fertilizer solely by custom application.

(c) The annual tonnage report must be submitted to the commissioner on or before July 31 of each year.

(d) The inspection fee at the rate stated in section 18C.425, subdivision 6, must accompany the statement.

Subd. 2. **Additional reports.** The commissioner may by rule require additional reports for the purpose of gathering statistical data relating to fertilizer, soil amendments, and plant amendments distribution in the state.

Subd. 3. **Late annual report and inspection fee penalty.** (a) If a registrant or licensee fails to submit an annual tonnage report or pay the inspection fee under section 18C.425, subdivision 6, by July 31, the commissioner shall assess the registrant or licensee a penalty of the greater of \$50 or ten percent of the amount due.

(b) The fees due, plus the penalty, may be recovered in a civil action against the licensee or registrant.

(c) The assessment of the penalty does not prevent the commissioner from taking other actions as provided in this chapter and sections 18D.301 to 18D.331.

Subd. 4. [Repealed by amendment, 2009 c 94 art 1 s 63]

Subd. 5. **Verification of annual tonnage report.** The commissioner may verify the records on which the annual tonnage report is based.

History: 2009 c 94 art 1 s 63

18C.425 APPLICATION AND INSPECTION FEES.

[For text of subs 1 to 3a, see M.S.2008]

Subd. 4. **Fee for late application.** If an application for renewal of a registration under section 18C.411 or a license under section 18C.415 is submitted to the commissioner after December 31, an additional late fee of one-half of the amount due must be paid in addition to the application fee before the renewal license or registration may be issued.

Subd. 6. **Payment of inspection fee.** (a) The person who registers and distributes in the state a specialty fertilizer, soil amendment, or plant amendment under section 18C.411 shall pay the inspection fee to the commissioner.

(b) The person licensed under section 18C.415 who distributes a fertilizer to a person not required to be so licensed shall pay the inspection fee to the commissioner, except as exempted under section 18C.421, subdivision 1, paragraph (b).

(c) The person responsible for payment of the inspection fees for fertilizers, soil amendments, or plant amendments sold and used in this state must pay an inspection fee of 30 cents per ton, and until June 30, 2019, an additional 40 cents per ton, of fertilizer, soil amendment, and plant amendment sold or distributed in this state, with a minimum of \$10 on all tonnage reports. Products sold or distributed to manufacturers or exchanged between them are exempt from the inspection fee imposed by this subdivision if the products are used exclusively for manufacturing purposes.

(d) A registrant or licensee must retain invoices showing proof of fertilizer, plant amendment, or soil amendment distribution amounts and inspection fees paid for a period of three years.

History: 2009 c 94 art 1 s 64,65