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Technical Bulletin

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PRODUCT LABELING

Most PHC products fall into one or more of three categories:

- Fertilizers
- Soil Amendments
- Pesticides/Plant Growth Regulators

Regulation

Labels for all of these categories are regulated at the state level with each state Dept of Agriculture. However, the Federal EPA regulates the registration and labeling of Pesticides/Plant Growth Regulators, but the states may add to the Federal labeling requirements. In all cases, registration fees are involved.

AAPFCO

All state bureaucrats who register fertilizers and soil amendments belong to the Association of American Plant Food Control Officials (AAPFCO). This organization attempts to standardize the labeling requirements of all the states, by designing uniform labeling requirements. While this is very helpful, many states still follow their own requirements and some add to the AAPFCO recommendations. Still, by following the AAPFCO labeling rules, you can devise labels that are legal in the greatest number of states. A few special label alterations are still needed for some states. Visit www.aapfco.org for more information about AAPFCO.

Fertilizer-only Labels

Products that are fertilizers only, and have no claimed functions other than as plant nutrients have the simplest labeling requirements. *Some* of these are summarized here:

- Fertilizers can only claim to provide plant nutrients that are scientifically recognized as such. For example, Hydrogen is not considered to be a plant nutrient, so it cannot appear on the label.
- Fertilizer labels must show a guaranteed analysis that follows the AAPFCO format. This format designates how the various mineral nutrients are claimed, in what order, and even specifies the wording and spacing requirements.
- The Guaranteed Analysis must be followed by a derivation statement that lists the ingredients that provide the claimed nutrients. A derivation statement begins with the words "Derived from:".
- Nutrients are given in % by weight. Minimum acceptable guarantees for each nutrient are specified.
- AAPFCO rules also specify how a product is determined to be deficient, that is, provides less of a mineral than is claimed on the label guarantee. AAPFCO has devised a list of "Investigational Allowances" which are numerical limits. If a fertilizer test result falls below this number, then the product is deemed to be deficient. Some states, like Maryland and NY, routinely sample and test fertilizers randomly, and enforce the label guarantees against these Investigational Allowances.
- Net Wt (Lb and Kg), Name & Address of Company, Phone number must appear.
- This statement must appear: Information regarding the contents and levels of metals in this product is available on the internet at <http://www.regulatory-info-phc.com>.

Soil Amendments

The AAFCO labeling rules for Soil amendments are much tougher than those for fertilizers. *Some* Key soil amendment labeling rules are summarized here:

- Labels must show:
 - Brand Name
 - Net Wt. (English and Metric)
 - Purpose of product
 - Directions for application
 - Name and address of registrant company
- Some states also require a safety statement.
- The label must contain the words (in all capital letters) CONTAINS NON PLANT FOOD INGREDIENTS. Some state require instead, the words NOT A PLANT FOOD PRODUCT.
- A guaranteed analysis showing ALL ingredients broken down into Active Soil Amending Ingredients, and Inert Ingredients. The percent by weight of each must be shown, and the sum total of all percentages must add up to 100%. Formatting requirements are specified. (See AAPCFO)
- Microbes must be identified to species, and counts per unit weight (or volume for liquids) must be shown. California requires cfu/cc or cfu/g for bacteria. Mycorrhizal fungi can be given in spores/g or spores/cc.
- Products containing live microbes must show an Expiration Date.
- Any claims regarding product's effects on plants or soil must be backed up by published scientific evidence or university trials, to be submitted with product registration forms. Evidence will be reviewed an accepted or rejected by the state. Each state has its own criteria regarding what kind of evidence is acceptable, and sometimes they require evidence from trials performed in soils of their state. Failure to provide satisfactory evidence will require removal of the unproven ingredient from the active ingredient portion of the label.

Combined Products

Combined Fertilizer/Soil Amendment Products

Products that contain both plant nutrients and active non-nutrient ingredients are considered to be both fertilizers and soil amendments. Some states prefer to register these as fertilizers only. But most states require dual registration as a fertilizer and also as a soil amendment. Fees accumulate additively. Labels must follow both fertilizer and soil amendment labeling guidelines. Such labels require two Guaranteed Analyses:

- Standard Guaranteed Analysis for Fertilizer
- Guaranteed Analysis Plant/Soil Amending Ingredients

Only the Soil amending analysis needs to show all ingredients and have them add up to 100% A problem occurs regarding how to show the fertilizer ingredients in the Soil amending section of the Guaranteed analysis. Since all ingredient weight percents must add up to 100%, one must include the fertilizer component. This is done by adding the following line to the soil amendment Guarantee section:

Fertilizer Ingredients.....xx%

However, states differ regarding whether this line should be placed in the Active Ingredients Section, or the Inert Ingredients Section.

Combined Fertilizer/Soil Amendment/Pesticide Products

Products that contain fertilizer, soil amendments and pesticide/growth-regulator ingredients must be triply registered under each category. Fees apply in triplicate as well.

Tonnage Reports

Most states require regular reports of the amount of fertilizer sold in that sate. Several states require this information monthly per county. Other states require quarterly, semiannually, and/or

annual reports. Usually, reports are given in tons of product, thus the name “tonnage reports.” Some states require monetary sales figures instead of weights. Fees are involved based on the tonnage, and penalties are charged for late reporting.

Pesticides

Pesticides must be registered with the Federal EPA and with each state. EPA labeling requirements are accepted by the states, but some states add some additional requirements.

Pesticide Reports

EPA requires annual reporting of pesticide distribution. EPA sends out a form annually for this. Reports are due by March 1. A \$6500 penalty is imposed if the report is not submitted in time.