



NORTH DAKOTA
DEPARTMENT OF AGRICULTURE
STATE CAPITOL
600 E BOULEVARD AVE DEPT 602
BISMARCK ND 58505-0020

Guidelines for Completing the 2013 Annual Fertilizer Tonnage Report

North Dakota Fertilizer law requires all persons licensed in selling fertilizers, soil amendments, and plant amendments to compile and report the yearly tonnage of each product sold to a non-licensed end user within the state of North Dakota. All products in packages of over twenty-five pounds are subject to tonnage fees. If a person sells fertilizer, soil amendments, plant amendments, or micronutrients; only packages over twenty-five pounds are subject to tonnage fees.

Reporting: There will be two separate tonnage reports for Retail and Wholesale. Upon logging in there will be a link to a document with instructions on how to help you file the online report.

Retail Reporting is slightly different from last year because NPK and Micronutrients are being reported separately (see example under Micronutrients). The department encourages dealers to report their tonnage online at www.kellysolutions.com/nd/FertdistribLicenses/tonnage/login.asp. There is a small convenience fee for reporting online but the attached paper form can be mailed in with a check. A hard copy of SFN 60495 can be found at www.nd.gov/ndda/forms.

Wholesale Reporting must be done online at www.kellysolutions.com/nd/FertdistribLicenses/tonnage/login.asp and there is no required payment with this report, however a late fee of \$35.00 will be assessed if not filed on or before 1/31/2014. There is no convenience fee for filing wholesale online.

The tonnage report must consist of the number of net tons of each fertilizer, soil amendment, or plant amendment distributed within the state to the end user. Products only sold to the end user are subject to tonnage fees. A person does not need to submit a tonnage fee if selling to a licensed user in the state who then sells to an end user. Each licensed location must be reported separately, on the tonnage form provided by the Department. **Combined reports and those that do not follow the format of the Department form, will not be accepted.**

The person filling the tonnage fees shall pay the tonnage fee at the rate of **\$0.20 per ton** of each grade of fertilizer, soil amendment, plant amendment, and micronutrient by **January 31, 2014**. If the tonnage report is not filed and the payment of the tonnage fee is not made by January 31, 2014, a collection fee amounting to **ten percent (10%)** of the amount due, or a minimum of **ten dollars (\$10.00)** will be assessed against the licensee.

Fertilizers/Custom Blends: A fertilizer is defined as any substance containing one or more recognized plant nutrients which are used for its plant nutrient content and which are designed for use or claimed to have value to the plant. These types of fertilizers will have an N-P-K claim on the label. A custom blend consists of two or more types of fertilizers blended together to develop a unique fertilizer made to meet the special needs of a consumer(s). Custom Blends purchased preblended may be listed as such on the tonnage report. Custom Blends that are blended by the distributor are to be reported not as a blend but as the bulk fertilizers individually. Any fertilizer that contains an added micronutrient to such fertilizer must keep track of the tonnage sold of that specific fertilizer.

Example: On a 10-10-10-25s blend, claim a 10-10-10 under the agriculture fertilizer section and the 25s under the micronutrient section.

Specialty Fertilizer (Non-Ag): Specialty fertilizers are defined as a fertilizer distributed for nonfarm use. The person who registered the specialty fertilizer must submit the tonnage report to the North Dakota Agriculture Department. Specialty fertilizers are subject to the same fees as fertilizers, **\$0.20 per ton** of each product sold in the state of North Dakota.

Micronutrients: Micronutrients are fertilizers that don't contain any N-P-K claims and only consist of essential chemical elements that are required at low levels for normal plant growth. These products need to be reported for tonnage fees like all other fertilizer materials for packages over twenty-five pounds and are subject to the same **\$0.20 per ton** fee.

Audit: The Department will be starting an auditing program that will randomly select fertilizer dealers to ensure accuracy of the information contained in the tonnage reports in 2014. All sales and purchasing records must now be kept for a minimum of 3 years as required by N.D.C.C. 19-20.1-06.4 that went into effect on 8/1/2013.

We are also excepting the AgGateway Standard XML file for retail and wholesale submission. Please contact Nikki Espy at Nikki@kellyreg.com if you are using this option and need assistance.

If you have any questions or concerns, please contact Patrick Hart.

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