

# FREQUENTLY ASKED QUESTIONS REGARDING THE NEW FERTILIZER PERMITTING REQUIREMENTS FOR SOUTH CAROLINA.

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**I stock a considerable amount of fertilizers, both restricted and non-restricted, however the products are for my own use and I do not sell them to anyone, Do I have to have a permit?**

If fertilizers are solely for someone's own use (private or commercial) no permit is required. However, if a lawn care or landscape company applies fertilizers and bills specifically for the fertilizer they must obtain an appropriate permit.

**I sell ammonium nitrate but only in packages of 40 lb or less, does this mean I do not need a restricted permit?**

NO! Anyone engaged in selling restricted fertilizers, regardless of package size must have a restricted fertilizer permit. The 40 lb. Package size limit only applies to the general fertilizer permit.

**I distribute branded fertilizers produced by a major manufacturer, Can I use their permit numbers in order to sell these products?**

NO! A permit is only valid for the business located at the address printed on the face of the permit. Each location that qualifies must obtain a valid permit.

**I do not sell enough restricted fertilizer product in a year to warrant paying the \$250 fee for the permit, what can I sell in place of the restricted fertilizers?**

There are a tremendous number of alternative nitrogen sources that can be sold with out a restricted fertilizer permit. A few of these would include:

Calcium Nitrate 15.5-0-0	Isobutylene Diurea 30-0-0	34-0-0 made from ammonium sulfate and/or urea with filler
Sodium Nitrate 16-0-0	Sulfur Coated Urea 30-40% N	
Potassium Nitrate 15-0-0	methylenediurea 42-0-0	Neutroform and Neutraline nitrogen: 38-0-0 and 40-0-0
Ammonium Sulfate 20.5-0-0	dimethylenetriurea 40-0-0	Nitrogen solutions: 19-0-0, 25-0-0, 28-0-0, 30-0-0, 32-0-0
	polymer coated urea 40-0-0	

**I do not plan to apply for a restricted fertilizer permit but I still have some restricted products in stock what should I do?**

You should dispose of these products as quickly as possible. You can either sell them or use them yourself. By the beginning of the next fiscal year it will be considered a violation of the law if you have restricted products on hand without a valid restricted fertilizer permit.

**I am a restricted permit holder and often sell restricted products out of state, do I have to require a valid restricted permit number for out of state distributors?**

Under SC Law we do not have the authority to require that out of state dealers have a restricted fertilizer permit (unless they make sales into SC), however you are required to obtain a valid state or federal drivers license number for the person placing the order.

**I am a fertilizer dealer that often spreads fertilizer for my customers. If they call in an order for a restricted product and I spread it for them what information do I need to record and keep on file?**

Dealers who apply restricted fertilizers for consumers may record their restricted permit number in lieu of a driver's license. The dealer must indicate that he spread the material. This does not apply when dealers deliver material to a consumer's location.

**If someone I do not know wants to buy restricted products do I have the legal right to deny them the material?**

YES! A dealer has the right to deny anyone access to any fertilizer products if they are uncomfortable about the circumstances.

**There are several of my customers who do not have driver's licenses and I have in the past sold them a considerable amount of restricted products. How should I hand situations like this?**

The law is very specific with regards to the record keeping requirements relating to restricted fertilizer sales. You must record a valid state or federal drivers license number or other approved picture I.D. for each consumer purchasing a restricted product. If the consumer does not have a drivers license but does have another form of picture I.D., check with our department to see if it will suffice.

**When do these changes to the law go into affect and what is the deadline for obtaining a permit?**

The changes to the SC Fertilizer Law were made effective July 4, 2002 and therefore permits should be obtained immediately.