

12 KAR 4:075. Licenses and fertilizer product registration.

RELATES TO: KRS 250.366(16), (26), 250.371 – 250.461

STATUTORY AUTHORITY: KRS 250.371, 250.421

NECESSITY, FUNCTION, AND CONFORMITY: KRS 250.371 authorizes the Kentucky Agricultural Experiment Station Director to promulgate administrative regulations for product registration and licensing of custom mix blending facilities. KRS 250.421 requires the director to promulgate administrative regulations necessary to implement KRS 250.371 through 250.451. This administrative regulation establishes requirements for fertilizer product registration and licensing.

Section 1. Definitions.

- (1) "Registrant" means the person who registers fertilizer.
- (2) "Licensee" means the person who is licensed to distribute fertilizer.

Section 2. An applicant for registration shall complete and submit to the Fertilizer Regulatory Program:

- (1) Application for Registration of Farm Fertilizer, Form RS-29-01 Farm Fertilizer;
- (2) Application for Registration of Specialty Fertilizer, Form RS-29-03 Specialty Fertilizer (10 Pounds or Less).
 - (a) In accordance with KRS 250.371(1), a fifty (50) dollar registration fee shall accompany form RS-29-03; and
 - (b) In accordance with KRS 250.381(4) a fifty (50) dollar inspection fee shall accompany form RS-29-03; or
- (3) Application for Registration of Specialty Fertilizer, Form RS-29-04. Specialty Fertilizer (Packages Greater Than 10 Pounds). In accordance with KRS 250.371(1), a fifty (50) dollar registration fee shall accompany the submitted application form.

Section 3. An applicant for licensing shall complete and submit to the Fertilizer Regulatory Program:

- (1) Application for Custom Mix Fertilizer Blending, Form RS-29-02 Bulk Fertilizer License; or
- (2) Application for Custom Mix Specialty Fertilizer Blending, Form RS-29-05 Bulk Specialty Fertilizer License. In accordance with KRS 250.371(4), a one-hundred (100) dollar license fee shall accompany the submitted application form.

Section 4. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Application for Registration of Farm Fertilizer", Form RS-29-01, October 2019;
 - (b) "Application for Registration of Specialty Fertilizer", Form RS-29-03, October 2019;
 - (c) "Application for Registration of Specialty Fertilizer", Form RS-29-04, October 2019;
 - (d) "Application for Custom Mix Fertilizer Blending", Form RS-29-02, October 2019; and
 - (e) "Application for Custom Mix Specialty Fertilizer Blending", Form RS-29-05, October 2019.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of Regulatory Services, University of Kentucky, 103 Regulatory Services Building, Lexington, Kentucky 40546-0275, Monday through Friday, 8 a.m. to 4:30 p.m.

(20 Ky.R. 3334; eff. 8-24-1994; 47 Ky.R. 106, 734; eff. 11-18-2020.)