

Organic Input Materials (OIM) Licensing, Registration, & Labeling Guide

Table of Content	Page
Introduction	1
Purpose of Licensing and Registering Fertilizing Materials	2
Law and Regulations	2
FFLDRS online ExtraView Database	2
Fertilizer Product Database	2
Fertilizer Program Workshop	2
Licensing for Fertilizing Materials	3
Registration of OIM Product Labels	4
<u>Specific Labeling Requirements for Organic Input Materials</u>	
• Commercial Fertilizers	6
• Specialty Fertilizers	8
• Agricultural Minerals	10
• Auxiliary Soil and Plant Substances	12
• Soil Amendments	14
Misbranding and Adulteration	15
Unacceptable Terms and Claims	15
Frequently Asked Questions and Answers	15

Introduction

The Feed, Fertilizer, & Livestock Drugs Regulatory Services (FFLDRS) Branch of the Inspection Services Division manages a comprehensive fertilizing materials program that licenses individuals or companies who manufacture or distribute fertilizing materials, and registers labels for fertilizing materials that are sold or distributed into California.

This guide will assist firms and interested parties with the application process for Organic Input Materials (OIM) and provide them with a better understanding of the review and analysis undertaken by FFLDRS. This guide is applicable to Organic Input Materials (intended for use in organic crop and organic food production); for guidance on materials intended for conventional use, refer to the Conventional Fertilizing Materials Licensing, Registration, & Labeling Guide. This guide is designed to address many of the common pitfalls and questions regarding label registration, and save you months of valuable time and costly label revisions. Look for the italicized segments for helpful notes, but always refer to the Fertilizing Materials Law and Regulations for the entire licensing, registration, and labeling requirements. All the information presented here is also available on our website at: https://www.cdfa.ca.gov/is/ffldrs/fertilizer_OIM.html.

Organic Input Material (OIM) - Defined in Section 14550.5 of the Food and Agricultural Code, “means any bulk or packaged commercial fertilizer, agricultural mineral, auxiliary soil and

plant substance, specialty fertilizer, or soil amendment, excluding pesticides, that is to be used in organic crop and food production and that complies with the requirements of the National Organic Program standards, as specified in Part 205 (commencing with Section 205.1) of Subchapter M of Chapter I of Subtitle B of Title 7 of the Code of Federal Regulations.”

Purpose of Licensing and Registering Labels for Fertilizing Materials

The purpose of this program is to:

- Promote the distribution of effective and safe fertilizing materials.
- Provide assurance to consumers that the products they purchase are properly identified, and the quality and quantity represented is valid.

Law and Regulations

The Fertilizing Materials Law and Regulations can be found in PDF format on our website at:

<http://www.cdfa.ca.gov/is/regulations.html>

FFLDRS online ExtraView Database

The online ExtraView Database (EV) is the official database for the Feed, Fertilizer, and Livestock Drugs Regulatory Services Branch. Through the database, firms and individuals may apply for and manage fertilizer licenses and registrations; calculate and pay required mill assessments and submit tonnage reports; and view correspondence from registration staff.

To enroll, visit the database at: <https://inspect.cdfa.ca.gov/> and click “Enroll New User”.

Video instructions on how to navigate the ExtraView Database are available at:

<https://www.cdfa.ca.gov/is/ffldrs/index.html>.

This page includes tutorials on how to:

- Enroll as a New User
- Apply for a new Fertilizing Materials License
- Apply for a new Product Registration
- Pay for Items
- Renew Product Registrations or Licenses

Fertilizer Product Database

The online Fertilizer Product Database is available for the public to view the status of fertilizing material products that are registered or submitted for registration with the Fertilizing Materials Inspection Program. This database also provides product information, such as Guaranteed Analysis, Heavy Metals, and Annotations for use, if applicable.

The database is available at: <https://apps1.cdfa.ca.gov/fertilizerproducts/>

Fertilizer Program Workshop

The Fertilizing Materials Inspection Program holds a yearly workshop at various locations throughout the state of California to assist applicants with licensing, registration, the product database, and reporting form completion. Information on the workshop date, location, and registration will be available approximately one month prior to the workshop date on the website:

<https://www.cdfa.ca.gov/is/ffldrs/fertilizer.html>

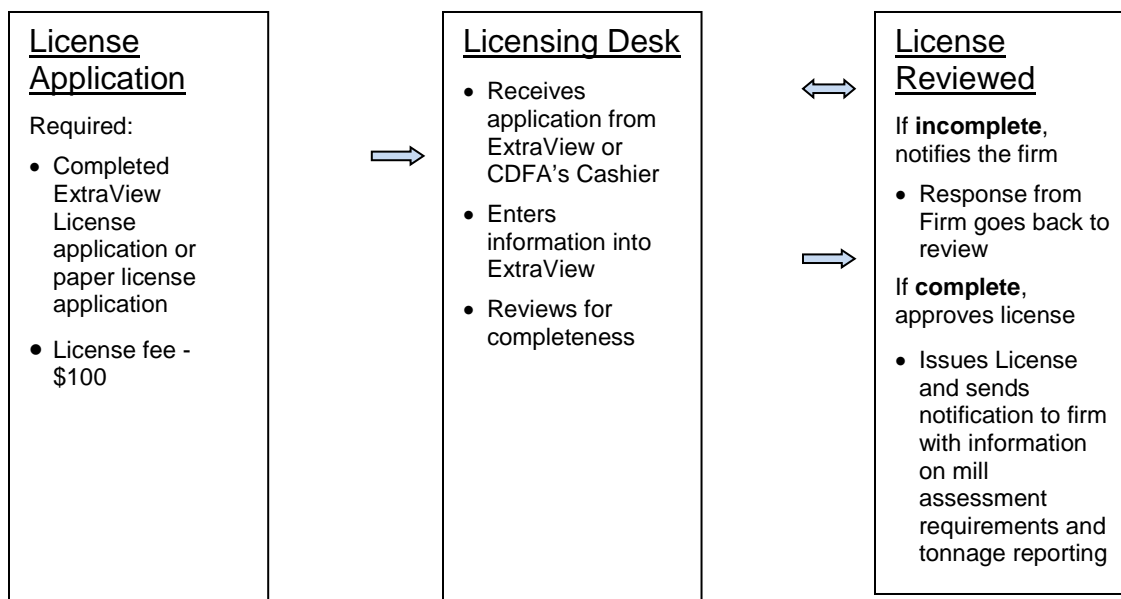
Licensing for Fertilizing Materials

An individual or company who manufactures or distributes fertilizing materials in California shall, before they engage in the activity, obtain a Fertilizing Materials License for each plant and business location that they operate. The most expedient method to submit a license application is via the online ExtraView Database at: <https://inspect.cdfa.ca.gov/>.

A printable license application is also available on the FFLDRS website at: https://www.cdfa.ca.gov/is/docs/Fertilizer_Materials_License_Application.pdf.

Please note: Any business or manufacturing location in California, other U.S. states, or another country, which manufacture or distribute fertilizing materials directly into California, or appear on the product label, must obtain a license from California.

A fertilizing materials license is valid for a two-year period from January 1st of each odd-numbered year to December 31st of the next even-numbered year. Licensing fees are not pro-rated.



Please Note: If your mailing address is a P.O. Box and you have another business location in the same city, you must obtain a license for the physical business location in that city. If your mailing address is a P.O. Box and you do NOT have a business location in that city, then please clarify in writing that there is no business location in the city with the P.O. Box. For example: If Company A operates out of Fresno, but has mail sent to a P.O. Box in Madera, then Company A should license the Fresno location and clarify in writing for FFLDRS that, "There are no business locations in Madera. This is a mailing address only."

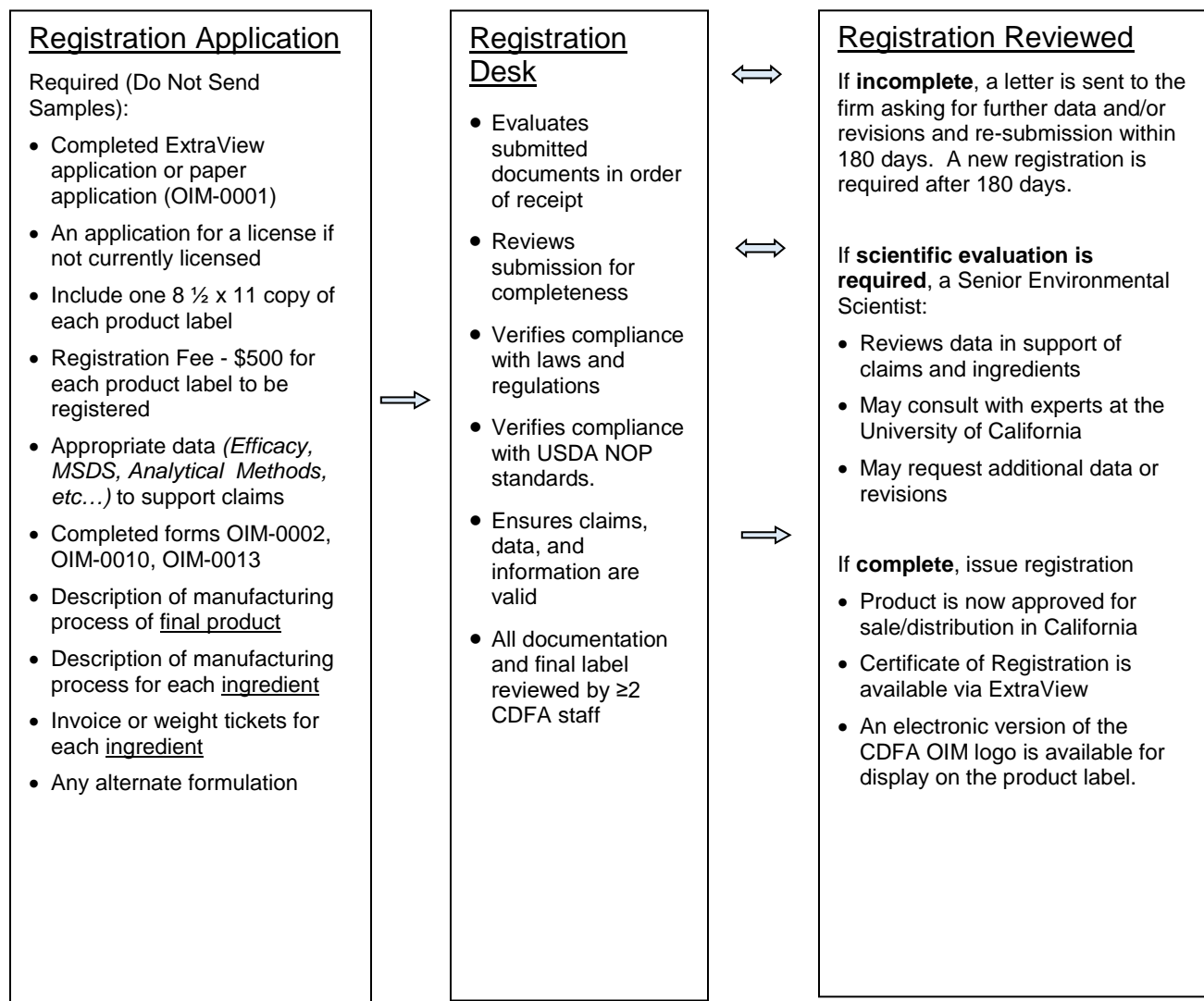
License Renewal

The renewal fee is \$100 per business location. Renewals are considered delinquent if received after February 1st and assessed a \$50 penalty. If the renewal remains delinquent past February 28th, of the odd-numbered year, then a penalty of \$100 per location is assessed.

Registration of OIM Product Labels

Before any OIM fertilizing materials may be sold or distributed in California, the product label must be approved by the FFLDRS Organic Input Material Program. All fertilizing materials intended for use in organic crop and organic food production, as listed in this guide, require registration. Registration is meant to ensure that the product composition complies the USDA NOP standards, and to verify that the product is deemed effective for its intended purpose. The product label is reviewed to ensure that it complies with the Fertilizing Materials Law and Regulations. The most expedient method to submit a registration application is via the online ExtraView Database at: <https://inspect.cdffa.ca.gov/>. A printable registration application is also available at: https://www.cdffa.ca.gov/is/docs/OIM_Fertilizing_Materials_Registration_App.pdf

Fertilizing materials registration is valid for a two-year period. See “Notice to Industry” dated August 28, 2017 for current registration schedule.



Please note: Any changes/updates made to the registered label must be reviewed and approved before the product bearing the amended label can be sold or distributed in California. Changes to the guaranteed analysis, derivation statement, name of product, list of ingredients, or active ingredient statement require a new submission for registration. The OIM registration update form (OIM-0031) is available online at https://www.cdfa.ca.gov/is/fldrs/pdfs/OIM-0031_RegistrationUpdateForm.pdf.

Registration Renewal for OIM Products

The renewal fee is \$500 per product label. Renewals are considered delinquent if received after one month of the beginning of the designated group registration cycle and assessed a \$50 penalty.

Specific labeling requirements for OIM:

OIM - Commercial Fertilizers

Defined in Section 14522 of the Food and Agricultural Code, “means any substance which contains 5 percent or more of nitrogen (N), available phosphoric acid (P₂O₅), or soluble potash (K₂O), singly or collectively, which is distributed in this state for promoting or stimulating plant growth.”

Please note: Commercial fertilizer is only intended for agricultural or professional use. This includes agricultural production, golf course maintenance, or commercial landscaping. If it is also marketed for home and garden use, then it classifies as a specialty fertilizer (see next page), and should be registered as such. All OIM commercial fertilizers require registration, regardless whether packaged or bulk.

The following is required on a commercial fertilizer label, as specified in the California Code of Regulations (CCR) Section 2303:

1. **Product name** (*The name should be unique and not be misleading as to the purpose and guarantees*)
2. **Measurement**
 - a. **Net weight** (*for dry materials, U.S. & metric units*)
 - b. **Volume** (*for liquid materials, U.S. & metric units*)
 - c. **Density** (*lbs/gallon at 68° Fahrenheit- only for bulk liquids >110lbs*).
3. **Grade** (*Shall exactly match the guaranteed analysis for N-P-K*)
4. **Licensee’s name and address** (*If both manufacturer and distributor are given, state “Guaranteed by:” in front of the name of the firm acting as the licensed guarantor*)
5. **A guaranteed analysis using the following format, terminology, and order presented:** (***Please note: Zero guarantees and guarantees below the set minimums should not be made on the label, unless they are exempt per Section 2307 of the CCR. If mention is made of a fertilizing material outside of the guaranteed analysis, a guarantee should be given for that material. For example: If a label guarantees values for magnesium and iron, but not sulfur, and then mentions the benefits of sulfur on the label, a value for sulfur should be guaranteed.***)

The sum of the N + P + K values is equal to or greater than 5 percent and the product is intended for Agricultural or Professional use only.

Guaranteed Analysis:

(Guarantee minimums, if claimed)

{	Total Nitrogen (N)	X%	<i>Please note that the sum of the guaranteed forms of nitrogen must equal the total nitrogen guarantee.</i>
	X% Ammoniacal Nitrogen		
	X% Nitrate Nitrogen		
	X% Water Soluble Nitrogen		
	X% Water Insoluble Nitrogen		
	Available Phosphoric Acid (P ₂ O ₅)	X% (or, Available Phosphate (P ₂ O ₅))	
	Soluble Potash (K ₂ O)	X%	
	Calcium (Ca)	X%	1.0000%
	Magnesium (Mg)	X%	0.5000%
	Sulfur (S)	X%	1.0000%
Boron (B)	X%	0.0200%- <i>If ≥ 0.1%, → WARNING,</i>	
Chlorine (Cl)	X%	0.1000% <i>See Section 2300 (h) of the CCR.</i>	
Cobalt (Co)	X%	0.0005%	
Copper (Cu)	X%	0.0500%	
X% Chelated Copper (<i>If guaranteed. Give chelating agent in the derivation statement.</i>)			
Iron (Fe)	X%	0.1000%	
X% Chelated Iron (<i>If guaranteed. Give chelating agent in the derivation statement.</i>)			
Manganese (Mn)	X%	0.0500%	
X% Chelated Manganese (<i>If guaranteed. Give chelating agent in the derivation statement.</i>)			
Molybdenum (Mo)	X%	0.0005%- <i>If ≥ 0.001%, → WARNING,</i>	
Sodium (Na)	X%	0.1000% <i>See Section 2300 (i) of the CCR.</i>	
Zinc (Zn)	X%	0.0500% <i>the CCR.</i>	
X% Chelated Zinc (<i>If guaranteed. Give chelating agent in the derivation statement.</i>)			

6. **Derivation Statement** (Derived from: ... list the ingredient sources for the above guarantees. Abbreviated chemical names, trade names, and trademarks are prohibited from the derivation statement.)

Heavy metals: Effective January 1, 2002, the Fertilizing Materials Law and Regulations have been revised to include standards for heavy metals. These regulations are found in Sections 2302 and 2303 (s) of the CCR. The regulations require that in lieu of a statement on the label, each product guaranteeing **iron, manganese, zinc, or phosphates derived from inorganic sources**, shall contain either the statement “Information regarding the contents and levels of metals in this product is available by calling 1-800-XXX-XXXX,” or the statement, “Information regarding the contents and levels of metals in this product is available on the internet at <http://www.regulatory-info-xx.com>.”

Please note: The best (most uniform between all states) method for addressing heavy metals compliance is to state, “Information regarding the contents and levels of metals in this product is available on the internet at <http://www.aapfco.org/metals.html>” If this method is used, submit a chemical analysis reported within 5 years, at registration, to FFLDRS for ALL of the following metals: Arsenic (As), Cadmium (Cd), Cobalt (Co), Copper (Cu), Lead (Pb), Mercury (Hg), Molybdenum (Mo), Nickel (Ni), and Selenium (Se). This proactive action may save you months of valuable time and costly label revisions.

OIM - Specialty Fertilizers

Defined in Section 14563 of the Food and Agricultural Code, “means packaged commercial fertilizer labeled for home gardens, lawns, shrubbery, flowers, and other similar noncommercial uses. These products may contain less than 5 percent nitrogen (N), available phosphoric acid (P₂O₅), or soluble potash (K₂O), singly or collectively, detectable by chemical methods.”

If secondary and micronutrients are claimed, the label shall guarantee values above specified minimums for all claimed nutrients. Acceptable secondary and micronutrients are: calcium, magnesium, sulfur, boron, chlorine, cobalt, copper, iron, manganese, molybdenum, sodium, and zinc.

The following is required on a specialty fertilizer label, as specified in CCR Section 2303:

1. **Product name** (*The name should be unique and not be misleading as to the purpose and guarantees*)
2. **Measurement**
 - a) **Net weight** (*for dry materials, U.S. & metric units*)
 - b) **Volume** (*for liquid materials, U.S. & metric units*)
 - c) **Density** (*lbs/gallon at 68° Fahrenheit- only for bulk liquids >110lbs*).
3. **Grade** (*Shall exactly match the guaranteed analysis for N-P-K*)
4. **Licensee’s name and address** (*If both manufacturer and distributor are given, state “Guaranteed by:” in front of the name of the firm acting as the licensed guarantor*)
5. **Purpose of product** (*Should not be misleading as to the guarantees*)
6. **Directions for use** (*Should be for the specific product*)
7. **A guaranteed analysis using the following format, terminology, and order presented:** (***Please note: Zero guarantees and guarantees below the set minimums should not be made on the label, unless they are exempt per Section 2307 of the CCR. If mention is made of a fertilizing material outside of the guaranteed analysis, a guarantee should be given for that material. For example: If a label guarantees values for magnesium and iron, but not sulfur, and then mentions the benefits of sulfur on the label, a value for sulfur should be guaranteed.***)

The sum of the N + P + K values can be equal to, greater than, or less than 5 percent. The key distinction is that the product is intended for home and garden use.

Guaranteed Analysis:

(Guarantee minimums, if claimed)

{	Total Nitrogen (N)X%	
	X% Ammoniacal Nitrogen	} <i>Please note that the sum of the guaranteed forms of nitrogen must equal the total nitrogen guarantee.</i>
	X% Nitrate Nitrogen	
	X% Water Soluble Nitrogen	
	X% Water Insoluble Nitrogen	
	Available Phosphoric Acid (P ₂ O ₅)X% (or, Available Phosphate (P ₂ O ₅))	
	Soluble Potash (K ₂ O)X%	
	Calcium (Ca)X%	1.0000%
	Magnesium (Mg)X%	0.5000%
	Sulfur (S)X%	1.0000%
	Boron (B)X%	0.0200%- <i>If ≥ 0.1%, → WARNING,</i>
	Chlorine (Cl)X%	0.1000% <i>See Section 2300 (h) of</i>
	Cobalt (Co)X%	0.0005% <i>the CCR.</i>
	Copper (Cu)X%	0.0500%
X% Chelated Copper (<i>If guaranteed. Give chelating agent in the derivation statement.</i>)		
Iron (Fe)X%	0.1000%	
X% Chelated Iron (<i>If guaranteed</i>)		
Manganese (Mn)X%	0.0500%	
X% Chelated Manganese (<i>If guaranteed. Give chelating agent in the derivation statement.</i>)		
Molybdenum (Mo)X%	0.0005%- <i>If ≥0.001%, → WARNING,</i>	
Sodium (Na)X%	0.1000% <i>See Section 2300 (i) of</i>	
Zinc (Zn)X%	0.0500% <i>the CCR.</i>	
X% Chelated Zinc (<i>If guaranteed</i>)		

8. **Derivation Statement** (Derived from: ... list the ingredient sources for the above guarantees. Abbreviated chemical names, trade names, and trademarks are prohibited from the derivation statement.)

Heavy metals: Effective January 1, 2002, the Fertilizing Materials Law and Regulations have been revised to include standards for heavy metals. These regulations are found in Sections 2302 and 2303 (s) of the CCR. The regulations require that in lieu of a statement on the label, each product guaranteeing **iron, manganese, zinc, or phosphates from inorganic sources** shall contain either the statement, "Information regarding the contents and levels of metals in this product is available by calling 1-800-XXX-XXXX," or the statement, "Information regarding the contents and levels of metals in this product is available on the internet at <http://www.regulatory-info-xx.com>."

Please note: The best (most uniform between all states) method for addressing heavy metals compliance is to state, "Information regarding the contents and levels of metals in this product is available on the internet at <http://www.aapfco.org/metals.html>" If this method is used, submit a chemical analysis reported within 5 years, at registration, to FFLDRS for ALL of the following metals: Arsenic (As), Cadmium (Cd), Cobalt (Co), Copper (Cu), Lead (Pb), Mercury (Hg), Molybdenum (Mo), Nickel (Ni), and Selenium (Se). This proactive action may save you months of valuable time and costly label revisions.

OIM - Agricultural Minerals

Defined in Section 14512 of the Food and Agricultural Code, "means any substance with nitrogen (N), available phosphoric acid (P₂O₅), and soluble potash (K₂O), singly or in combination, in amounts less than 5 percent, which is distributed for Agricultural or Professional use, or any substance only containing recognized essential secondary nutrients or micronutrients in amounts equal or greater than minimum amounts specified by the secretary, by regulation, and distributed in this state as a source of these nutrients for the purpose of promoting plant growth. It shall include gypsum, liming materials, manure, wood fly ash, sewage sludge not qualifying as commercial fertilizer, and captured dilute solutions."

Please note: All OIM agricultural minerals require registration, regardless whether packaged or bulk.

If secondary and micronutrients are claimed, the label shall guarantee values above specified minimums for all claimed nutrients. Acceptable secondary and micronutrients are: calcium, magnesium, sulfur, boron, chlorine, cobalt, copper, iron, manganese, molybdenum, sodium, and zinc.

The following is required as specified in CCR Section 2303 on an agricultural mineral label:

1. **Product name** (*The name should be unique and not be misleading as to the purpose and guarantees*)
2. **Measurement**
 - a. **Net weight** (*for dry materials, U.S. & metric units*)
 - b. **Volume** (*for liquid materials, U.S. & metric units*)
 - c. **Density** (*lbs/gallon at 68° Fahrenheit- only for bulk liquids >110lbs*).
3. **Licensee's name and address** (*If both manufacturer and distributor are given, state "Guaranteed by:" in front of the name of the firm acting as the licensed guarantor*)
4. **Purpose of product** (*Should not be misleading as to the guarantees*) (packaged only)
5. **Directions for use** (*Should be for the specific product*) (packaged only)
6. **A guaranteed analysis using the following format, terminology, and order presented:** (**Please note: Zero guarantees and guarantees below the set minimums should not be made on the label, unless they are exempt per Section 2307 of the CCR. If mention is made of a fertilizing material outside of the guaranteed analysis, a guarantee should be given for that material. For example: If a label guarantees values for magnesium and iron, but not sulfur, and then mentions the benefits of sulfur on the label, a value for sulfur should be guaranteed.**)

Guaranteed Analysis: (Guarantee minimums, if claimed)

The sum of the N + P + K values is less than 5 percent and the product is intended for Agricultural or Professional use, and/or only secondary or micronutrients are guaranteed.

{	Total Nitrogen (N)	X%	} Please note that the sum of the all guaranteed forms of nitrogen must equal the total nitrogen guarantee.
	X% Ammoniacal Nitrogen		
	X% Nitrate Nitrogen		
	X% Water Soluble Nitrogen		
	X% Water Insoluble Nitrogen		
	Available Phosphoric Acid (P ₂ O ₅)	X% (or, Available Phosphate (P ₂ O ₅))	
	Soluble Potash (K ₂ O)	X%	
	Calcium (Ca)	X%	1.0000%
	Magnesium (Mg)	X%	0.5000%
	Sulfur (S)	X%	1.0000%
	Boron (B)	X%	0.0200%- If ≥ 0.1%, → WARNING,
	Chlorine (Cl)	X%	0.1000% See Section 2300 (h) of
	Cobalt (Co)	X%	0.0005% the CCR.
	Copper (Cu)	X%	0.0500%
	X% Chelated Copper (<i>If guaranteed. Give chelating agent in the derivation statement.</i>)		
Iron (Fe)	X%	0.1000%	
X% Chelated Iron (<i>If guaranteed</i>)			
Manganese (Mn)	X%	0.0500%	
X% Chelated Manganese (<i>If guaranteed. Give chelating agent in the derivation statement.</i>)			
Molybdenum (Mo)	X%	0.0005%- If ≥ 0.001%, → WARNING,	
Sodium (Na)	X%	0.1000% See Section 2300 (i) of	
Zinc (Zn)	X%	0.0500% the CCR.	
X% Chelated Zinc (<i>If guaranteed. Give chelating agent in the derivation statement.</i>)			

7. **Derivation Statement** (*Derived from: ... list the chemical sources for the above guarantees. Abbreviated chemical names, trade names, and trademarks are prohibited from the derivation statement.*)

Heavy metals: Effective January 1, 2002, the Fertilizing Materials Law and Regulations have been revised to include standards for heavy metals. These regulations are found in Sections 2302 and 2303 (s) of the CCR. The regulations require that in lieu of a statement on the label, each product guaranteeing **iron, manganese, zinc, or phosphates from inorganic sources** shall contain either the statement, "Information regarding the contents and levels of metals in this product is available by calling 1-800-XXX-XXXX," or the statement, "Information regarding the contents and levels of metals in this product is available on the internet at <http://www.regulatory-info-xx.com>."

Please note: *The best (most uniform between all states) method for addressing heavy metals compliance is to state, "Information regarding the contents and levels of metals in this product is available on the internet at <http://www.aapfco.org/metals.html>" If this method is used, submit a chemical analysis reported within 5 years, at registration, to FFLDRS for ALL of the following metals: Arsenic (As), Cadmium (Cd), Cobalt (Co), Copper (Cu), Lead (Pb), Mercury (Hg), Molybdenum (Mo), Nickel (Ni), and Selenium (Se). This proactive action may save you months of valuable time and costly label revisions.*

OIM - Auxiliary Soil and Plant Substances (ASPS)

Defined in Section 14513 of the Food and Agricultural Code, “means any chemical or biological substance or mixture of substances or device distributed in this state to be applied to soil, plants, or seeds for soil corrective purposes; or which is intended to improve germination, growth, yield, product quality, reproduction, flavor, or other desirable characteristics of plants; or which is intended to produce any chemical, biochemical, biological, or physical change in soil; except that it shall not include commercial fertilizers, agricultural minerals, economic poisons, soil amendments, or manures. It shall include the following: synthetic polyelectrolytes; lignin or humus preparation; wetting agents to promote water penetration; bacterial inoculants; microbial products, including genetically engineered microorganisms; soil binding agents; biotics, and any similar product intended to be used for influencing soils, plant growth, or crop or plant quality.”

The following is required as specified in CCR Section 2303 on an auxiliary soil & plant substance label:

1. **Product name** (*The name should be unique and not be misleading as to the purpose and guarantees*)
2. **Measurement**
 - a. **Net weight** (*for dry materials, U.S. & metric units*)
 - b. **Volume** (*for liquid materials, U.S. & metric units*)
 - c. **Density** (*lbs/gallon at 68° Fahrenheit- only for bulk liquids >110lbs*).
3. **Licensee’s name and address** (*If both manufacturer and distributor are given, state “Guaranteed by:” in front of the name of the firm acting as the licensed guarantor*)
4. **Purpose of product** (*Should not be misleading as to the guarantees*)
5. **Directions for use** (*Should be for the specific product*)
6. **The statement “NONPLANT FOOD INGREDIENT”** (*Printed in capital letters*)
7. **A statement of composition** (*This should show the percent of each active ingredient, which is the agent in a product primarily responsible for the intended effects, to the left of the ingredient, as noted below.*)
8. **Submit a Materials Safety Data Sheet (MSDS) or Safety Data Sheet (SDS) with the registration application**

NONPLANT FOOD INGREDIENT(S): (*Printed in capital letters*)

X% Humic Acids derived from ... (*list the source of the humic acids, e.g. leonardite*)
(The minimum acceptable guarantee is 0.6% for a dry product and 0.06% for a liquid product.)

(Please note: The only claim we allow for Humic Acids is “may increase micronutrient uptake.”)

X% Silicon Dioxide (SiO₂) derived from... (*list the source(s) of the silicon dioxide, e.g. Potassium silicate*)

(Please note: A laboratory analysis is required to verify silicon guarantees. The minimum acceptable guarantee is 0.0005%)

X% Wetting Agent (*Provide exact chemical name on the label*)

X% Surfactants (*Provide exact chemical name on the label*)

X% Polymers (*Provide exact chemical name on the label*)

X% Soil Penetrants (*Provide exact chemical name on the label*)

X% Kelp (microbe food)

X% Sugars (*Specify sugar*) (microbe food)

(Please note: The only purpose allowed for Kelp and Sugars under this heading is “microbe food”, which must be stated as presented.)

X% *Yucca schidigera*

(*Not a complete list*)

If biotics are guaranteed, FFLDRS requires the following additional information per Section 2304 of the CCR:

1. **Name of each genus and species as part of the statement of composition and name of each by-product, if claimed.** *(Provide the full name, not abbreviations)*
2. **Active Ingredients:**
 - a. **Microorganisms:** number of viable units per mL or g. *(e.g. 100 CFU/mL)*
 - b. **Enzymes:** concentration in active units per mL or g. *(e.g. 100 u/mL)*
 - c. **Organism by-product:** concentration in percentage by weight. *(e.g. 10%)*
3. **Expiration date** *(You may leave a space noted by “Expiration date:____” where the actual date will be stamped or printed later)*
4. **Storage conditions**
5. Submit a **written description of a generally accepted laboratory method** for assaying the identity and the quantity of the viable and attenuated units and the by-products claimed with the registration application.
6. Submit a **laboratory analysis or alternate methods** verifying the microbial guarantees.

Please note: If added to a commercial fertilizer, specialty fertilizer or agricultural mineral, the following format shall appear below the derivation statement:

ALSO CONTAINS NONPLANT FOOD INGREDIENT(S): *(Printed in capital letters)*

X% Humic Acids derived from ... *(list the source of the humic acids, e.g. leonardite)*

X% Wetting Agent *(Provide exact chemical name for our records only)*

X% Surfactants *(Provide exact chemical name on the label)*

X% Polymers *(Provide exact chemical name on the label)*

X% Soil Penetrants *(Provide exact chemical name on the label)*

(Not a complete list)

OIM - Soil Amendments

Defined in Section 14552 of the Food and Agricultural Code, “means any substance distributed for the purpose of promoting plant growth or improving the quality of crops by conditioning soils solely through physical means. It includes all of the following: hay, straw, peat moss, leaf mold, sand, wood products, any product or mixture of products intended for use as a potting medium, planting mix, or soil less growing media, manures sold without guarantees for plant nutrients, and any other substance or product which is intended for use solely because of its physical properties.”

Please note: All OIM soil amendments require registration, regardless whether packaged or bulk.

The following is required as specified in CCR Section 2303 on a soil amendment label:

1. **Product name** *(The name should be unique and not be misleading as to the purpose and list of ingredients)*
2. **Measurement** (volume) *(U.S. & metric)*
3. **Licensee’s name and address** *(If both manufacturer and distributor are given, state “Guaranteed by:” in front of the name of the firm acting as the licensed guarantor)*
4. **Purpose of product** *(Should not be misleading as to the guarantees)*
5. **Directions for use** *(Should be for the specific product)*
6. **A list of ingredients** *(Shall be in order of decreasing amounts present)*

Please note: If a WETTING AGENT is included in the list of ingredients, FFLDRS requires the exact chemical name of the wetting agent on the registration application or in another form of writing. The exact name is not required on the product label, “wetting agent,” is acceptable on the label. The name shall be kept confidential.

Misbranding and Adulteration

Per Article 12, Section 14681 of the Food and Agricultural Code, no person shall distribute misbranded fertilizing materials. A fertilizing material shall be deemed misbranded under any of the following conditions:

- (a) If its labeling is false or misleading in any particular.
- (b) If it is distributed under the name of another fertilizing material.
- (c) If it is not labeled as required by regulations adopted pursuant to this chapter.
- (d) If it purports to be, or is represented as, a fertilizing material, or is represented as containing a primary or secondary plant nutrient or micronutrients, or both, unless the plant nutrients conform to the definition of identity, if any, prescribed by regulation. In adopting these regulations, due regard shall be given to commonly accepted definitions and official fertilizer terms such as those prescribed by the Association of American Plant Food Control Officials.

Unacceptable Terms and Claims

There are no official definitions for the following terms. They are considered misleading and are not allowed on fertilizing material labels. Refer to Section 14681 (a) of the Food and Agricultural Code: **Balanced**, **Biostimulant**, **Stimulant**, and **Complete**.

Before the following claims may appear on product labels, FFLDRS requires the support of efficacy data substantiating their benefit to plants and soils: **Amino Acids**, **Enzymes**, and **Vitamins** (*Vitamin B₁ is acceptable if nutrients are guaranteed on the product label.*)

The following terms shall not be included on labels for products that only contain fertilizing materials, as they imply disease free or disease resistance, which is not the intended purpose of fertilizing materials: **Health**, **Healthy**, **Healthier**, and **Healthiest** (*Please note: the terms "vigorous," "vigorous," "strong," "strongest," etc... are acceptable alternatives.*)

Presently, the Department does not allow guarantees for **Fulvic acids** or **Organic acids** on labeling of fertilizing materials.

Frequently Asked Questions and Answers

Do all fertilizing materials for agricultural use require registration?

All fertilizing materials intended as an OIM product requires registration this includes products that do not require registration as conventional products, such as packaged and bulk commercial fertilizers, bulk agricultural minerals, and bulk soil amendments.

Are the registration fees refundable?

No. Registration fees are product label review fees and are neither refundable nor prorated. Overpayments will be refunded.

If I distribute or sell bulk fertilizing material, am I required to include a label?

Yes, all OIM products require registration and shall be accompanied by a label compliant with the Fertilizing Materials Law and Regulations as well as the USDA NOP standards.

Where can I obtain copies of the licensing and/or registration applications?

You are encouraged to apply on our new online FFLDRS ExtraView Database at <https://inspect.cdfa.ca.gov>.

Paper applications are available through our website https://www.cdfa.ca.gov/is/ffldrs/fertilizer_OIM.html, by contacting FFLDRS at 1220 N Street, Sacramento, CA 95814-5607, or by calling (916) 900-5022.

What is required with the application for licensing and/or registration?

Provide the following information with a fertilizing materials license application: a completed application via the online ExtraView database or a paper application and a license fee of \$100.

Provide the following information with a fertilizing materials label registration application: a completed application via the online ExtraView database or a paper application (OIM-0001), an application for a license if not currently licensed, one 8 ½ x 11 copy of each product label, \$500 registration fee for each product label to be registered, and completed forms OIM forms OIM-0002, OIM-0010, OIM-0013 (include the percentage of each active and inactive ingredient). Additionally, a complete written description of the manufacturing process for each input ingredient as well as for the final finished product. Include also the intended use of the product and any alternate formulation(s).

Who requires a fertilizing materials license?

Any individual or company who manufactures or distributes fertilizing materials in California shall, before they engage in the activity, obtain a Commercial Fertilizing Materials License for each plant and business location they operate.

Do I need both a license and product label registration?

All firms are required to have a current license. All product label registration applications require a current license or an active license application.

Who needs to register product labels?

The guarantor of any Organic Input Material is required to register product labels.

How long is the license or registration valid?

A fertilizing materials license is for a two-year period that commences January 1, of each odd-numbered year and expires on December 31 of, the next even-numbered year. The status and expiration date for a firm's license(s) may be viewed on the firm's online ExtraView account.

A product label registration for fertilizing materials is for a two-year. The status of product registration(s) may be viewed on the firm's online ExtraView account, where the Certificate of Registration for Fertilizing Materials with the expiration date of all product(s) registered under the firm is also available.

How long does the application process take?

The length of the application process varies. Applications submissions and re-submissions are reviewed in the order as they are received. Typically, it takes up to 12 weeks for a reviewer to conduct a review and provide correspondence to a submission or re-submission. If revisions or clarifications are requested, the firm must re-submit to FFLDRS their product label with the requested revisions or clarifications in order to continue the review process. Please note: Failure to submit a complete application within 180 days will result in cancellation of the application. Each subsequent response or re-submission by the firm is subject to the same 12 weeks response time from the reviewer, based on the date of receipt of the most recent response/re-submission. If a scientific evaluation is necessary, the process would require additional time.

Currently, less than one tenth of the labels received are ready for approval without additional revisions/data. Thus the majority of firms must resubmit their labels with additional revisions/data.

The best way to minimize the length of the application process is to fully address all items requested by CDFA reviewers in a timely fashion.

Can I challenge the Departments scientific findings?

Yes. A rebuttal may be submitted to clarify deficiencies found in the studies, or additional supporting data may be submitted to substantiate company claims.

How are humic acid guarantees evaluated?

Humic acid guarantees are based on analysis of the humic acid content in a product using the CDFA in-house humic acid method. A copy of the method used by CDFA is available by contacting FFLDRS, and many analytical laboratories testing fertilizing materials are familiar with this method. Please reference the 'CDFA Humic Acid method'.

Can silicon be guaranteed in fertilizing materials?

Silicon guarantees may appear on fertilizing material labels under the 'NONPLANT FOOD INGREDIENT(S):' heading. See the example that appears in this guide under ASPS products. Acceptable claims for silicon include general claims such as strengthening and promotion of upright stature. Specific claims may require further scientific evaluation.

???? Questions – Please contact FFLDRS staff at (916) 900-5022.