How to Resolve a Fertilizer Stop Sale
Division of Regulatory Services – University of Kentucky

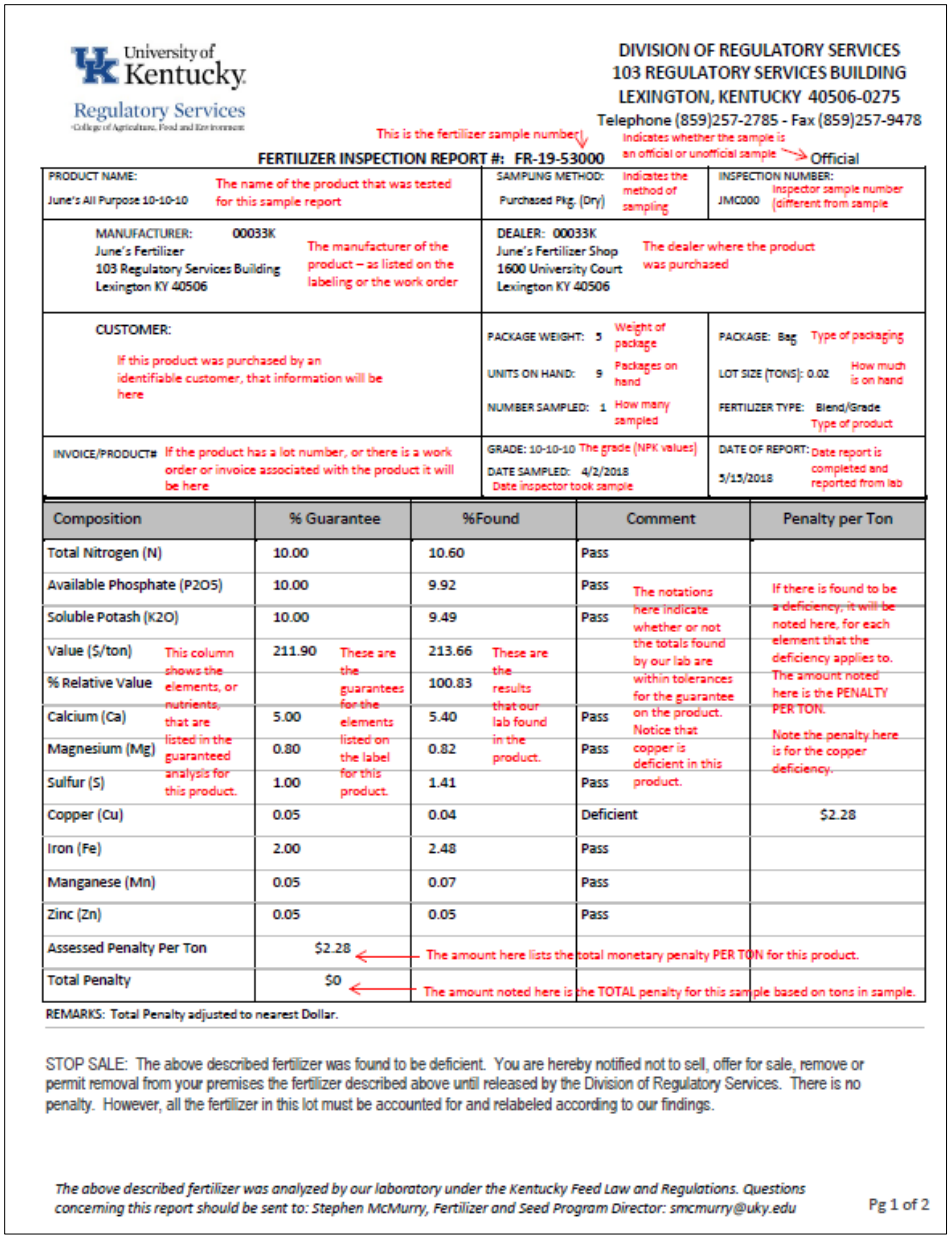
We have a team of inspectors throughout Kentucky who take random samples of both agricultural fertilizer materials and bagged fertilizer product. Those samples are tested in our laboratories to determine if they meet the guarantee for the product. From time to time a product does not meet those guarantees. When that occurs it creates a stop sale on that product.

Some deficiencies are so small that they do not create a monetary penalty for that product. In that case, it is a zero penalty stop sale. However, if the deficiency is large enough, it does create a monetary penalty for that product. In both instances the manufacturer of that product is responsible for dealing with those penalties. All stop sales must be resolved within 90 days of the date of the report.

To begin, let's start with the "anatomy" of a stop sale and what the notification looks like, and what everything on the report means. You can see all of that on the sample shown below:

Page 1- All sample results with deficiencies will have at least one page, many will have two. The information on the front page shows the results of the tests run on the sample. The options regarding how to deal with the stop sale are shown on page 2 (page 2 for this sample follows).

Samples that are custom blends for farmers will have only one page.



University of Kentucky
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College of Agriculture, Food and Environment

DIVISION OF REGULATORY SERVICES
103 REGULATORY SERVICES BUILDING
LEXINGTON, KENTUCKY 40506-0275
Telephone (859)257-2785 - Fax (859)257-9478

This is the fertilizer sample number. Indicates whether the sample is an official or unofficial sample → Official

FERTILIZER INSPECTION REPORT #: FR-19-53000

PRODUCT NAME: June's All Purpose 10-10-10 — The name of the product that was tested for this sample report	SAMPLING METHOD: Purchased Pkg. (Dry) — Indicates the method of sampling	INSPECTION NUMBER: JMC000 — Inspector sample number (different from sample
MANUFACTURER: 00033K June's Fertilizer 103 Regulatory Services Building Lexington KY 40506 — The manufacturer of the product – as listed on the labeling or the work order	DEALER: 00033K June's Fertilizer Shop 1600 University Court Lexington KY 40506 — The dealer where the product was purchased	
CUSTOMER: If this product was purchased by an identifiable customer, that information will be here	PACKAGE WEIGHT: 5 Weight of package UNITS ON HAND: 9 Packages on hand NUMBER SAMPLED: 1 How many sampled	PACKAGE: Bag Type of packaging LOT SIZE (TONS): 0.02 How much is on hand FERTILIZER TYPE: Blend/Grade Type of product
INVOICE/PRODUCT# If the product has a lot number, or there is a work order or invoice associated with the product it will be here	GRADE: 10-10-10 The grade (NPK values) DATE SAMPLED: 4/2/2018 Date inspector took sample	DATE OF REPORT: Date report is completed and reported from lab 5/15/2018

Composition	% Guarantee	%Found	Comment	Penalty per Ton
Total Nitrogen (N)	10.00	10.60	Pass	
Available Phosphate (P2O5)	10.00	9.92	Pass	If there is found to be a deficiency, it will be noted here, for each element that the deficiency applies to. The amount noted here is the PENALTY PER TON. Note the penalty here is for the copper deficiency.
Soluble Potash (K2O)	10.00	9.49	Pass	
Value ($/ton)	211.90	213.66		
% Relative Value		100.83		
Calcium (Ca)	5.00	5.40	Pass	
Magnesium (Mg)	0.80	0.82	Pass	
Sulfur (S)	1.00	1.41	Pass	
Copper (Cu)	0.05	0.04	Deficient	$2.28
Iron (Fe)	2.00	2.48	Pass	
Manganese (Mn)	0.05	0.07	Pass	
Zinc (Zn)	0.05	0.05	Pass	
Assessed Penalty Per Ton	$2.28			
Total Penalty	$0			

This column shows the elements, or nutrients, that are listed in the guaranteed analysis for this product. These are the guarantees for the elements listed on the label for this product. These are the results that our lab found in the product. The notations here indicate whether or not the totals found by our lab are within tolerances for the guarantee on the product. Notice that copper is deficient in this product.

The amount here lists the total monetary penalty PER TON for this product.

The amount noted here is the TOTAL penalty for this sample based on tons in sample.

REMARKS: Total Penalty adjusted to nearest Dollar.

STOP SALE: The above described fertilizer was found to be deficient. You are hereby notified not to sell, offer for sale, remove or permit removal from your premises the fertilizer described above until released by the Division of Regulatory Services. There is no penalty. However, all the fertilizer in this lot must be accounted for and relabeled according to our findings.

The above described fertilizer was analyzed by our laboratory under the Kentucky Feed Law and Regulations. Questions concerning this report should be sent to: Stephen McMurry, Fertilizer and Seed Program Director: smcmurry@uky.edu

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Page 2- Request for release for the stop sale. ALL of the fertilizer in the lot size must be accounted for.

The information regarding the amount on hand and amount sold must be filled in.

The action, or actions, chosen to deal with this stop sale should be noted.

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This is the fertilizer sample number. Indicates whether the sample is an official or unofficial sample

FERTILIZER INSPECTION REPORT #: FR-19-53000 Official

STOP SALE and REQUEST for RELEASE FORM

PRODUCT NAME June's All Purpose 10-10-10 DATE SAMPLED: 4/2/2018 — The name of the product tested and the date sampled		INSPECTION NUMBER: JMC000 — Inspector sample number, NOT sample number
INVOICE/PRODUCT# — Any lot number, work order or invoice number associated with this sample would go here	GRADE: 10-10-10 — Grade (NPK) of product tested	DATE OF REPORT: 5/15/2018 — Date of report
UNITS ON HAND: 9 — Total packages on hand	PACKAGE WEIGHT: 5 — If the product is packaged, the weight of the package is here	LOT SIZE (TONS): 0.02 — Total of lot size on hand when sample was taken

MANUFACTURER: 00033K
June's Fertilizer
103 Regulatory Services Building
Lexington KY 40506
The name and address of the manufacturer of the product

DEALER: 00033K
June's Fertilizer Shop
1600 University Court
Lexington KY 40506
The name and address of the dealer where the product was purchased

When the stop sale was received, the disposition of this lot of fertilizer was:

_____ Amount on hand (Tons/Packages)

_____ Amount sold to identifiable purchaser

_____ Amount sold to unidentifiable purchaser

_____ Amount Total

When requesting the stop sale be resolved, the information listed above will be filled in by the manufacturer or dealer who is sending the paperwork in.

Actions you may take: Check Appropriate Actions

_____ Return to Manufacturer for reprocessing

_____ Re-label - Price Adjustment

_____ Penalty payment to University of Kentucky Regulatory Services

_____ Penalty payment to consumer. Send receipt by:

The actions that may be taken by the manufacturer of the product to resolve the stop sale are listed in this area

Requested By:_____ Date:_____

Firm and Address:_____

The person requesting the resolution of the stop sale will fill this information in before sending the paperwork back to Regulatory Services

A few notes to make here:

- Copies of the stop sale are always sent to both the manufacturer and the dealer, and, if the sample was taken from a custom blend, the farmer will receive a copy as well.
- When a product is under Stop Sale, it is not permitted to be sold or removed from the premises where it was found and sampled
- Stop sales are required to be resolved within 90 days from the date of the sample report
- The penalty is paid only on the amount of product that has sold, the remainder of product may be re-labeled
- Penalties that are found on blends where the purchaser is identifiable, the penalty is made to the purchaser and may be in the form of a credit to their account or in payment, and must be made within 90 days
- Penalties on products where the purchaser is not identifiable must be made to the University of Kentucky
- Proof of actions taken, whether it be re-labelling with price adjustment, returning to manufacturer or penalty paid to consumer should be returned with the sample paperwork to Regulatory Services

The above described fertilizer was analyzed by our laboratory under the Kentucky Feed Law and Regulations. Questions concerning this report should be sent to: Stephen McMurry, Fertilizer and Seed Program Director: smcmurry@uky.edu

How to Resolve a Fertilizer Stop Sale
Division of Regulatory Services – University of Kentucky

Now that we all understand the report, let's review what you can do to request a release for the stop sale.

For a stop sale that has created a zero penalty.

For deficient samples sold to an *identifiable*, a farmer, where there is no monetary penalty, no further action is required.

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FERTILIZER INSPECTION REPORT #: FR-18-50000 Official

PRODUCT NAME: Crawford	SAMPLING METHOD: Stream R	INSPECTION NUMBER: JMC000
CUSTOMER: JM199 June Crawford 103 Regulatory Services Building Lexington KY 40506	DEALER: 00033K Fertilizer Company 100 Fertilizer Court Fertilizer State Zip	
MANUFACTURER: 00033K Fertilizer Manufacturing Company 200 Fertilizer Court Fertilizer State Zip	PACKAGE WEIGHT: UNITS ON HAND: NUMBER SAMPLED:	PACKAGE: Dry Bulk LOT SIZE (TONS): 5 FERTILIZER TYPE CM
INVOICE/PRODUCT# 00000	GRADE: 25-15-15 DATE SAMPLED: 1/1/2018	DATE OF REPORT: 2/3/2018

Composition	% Guarantee	%Found	Comment	Penalty per Ton
Total Nitrogen (N)	25.40	27.13	Pass	
Available Phosphate (P2O5)	14.95	16.63	Pass	
Soluble Potash (K2O)	15.00	12.98	Deficient	$0
Value ($/ton)	406.41	422.13		
% Relative Value		103.87		
Assessed Penalty Per Ton	$0.00			
Total Penalty	$0			

REMARKS: Total Penalty adjusted to nearest Dollar.

STOP SALE: The above described fertilizer was found by our laboratory to be in violation of the Kentucky Fertilizer regulations. The deficiency was considered minor and the relative value was not deficient. Therefore, no penalty was assessed. This report is provided to advise you of the results of our analysis.

The above described fertilizer was analyzed by our laboratory under the Kentucky Feed Law and Regulations. Questions concerning this report should be sent to: Stephen McMurry, Fertilizer and Seed Program Director: smcmurry@uky.edu

Note: A copy of the report is mailed to both the manufacturer and the farmer.

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For a deficient sample that is a zero penalty, with the purchaser unidentifiable, page one shows all of the identifiable information for the sample, just as it did on the page above.

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FERTILIZER INSPECTION REPORT #: FR-19-53000 Official

PRODUCT NAME: June's All Purpose 10-10-10	SAMPLING METHOD: Purchased Pkg. (Dry)	INSPECTION NUMBER: JMC000
MANUFACTURER: 00033K June's Fertilizer 103 Regulatory Services Building Lexington KY 40506	DEALER: 00033K June's Fertilizer Shop 1600 University Court Lexington KY 40506	
CUSTOMER: No customer or purchaser is identified here, you have unidentified purchaser(s)	PACKAGE WEIGHT: 5 UNITS ON HAND: 9 NUMBER SAMPLED: 1	PACKAGE: Bag LOT SIZE (TONS): 0.02 FERTILIZER TYPE Blend/Grade
INVOICE/PRODUCT#	GRADE: 10-10-10 DATE SAMPLED: 4/2/2018	DATE OF REPORT: 5/15/2018

Composition	% Guarantee	%Found	Comment	Penalty per Ton
Total Nitrogen (N)	10.00	10.60	Pass	
Available Phosphate (P2O5)	10.00	9.92	Pass	
Soluble Potash (K2O)	10.00	9.49	Pass	
Value ($/ton)	211.90	213.66		
% Relative Value		100.83		
Calcium (Ca)	5.00	5.40	Pass	
Magnesium (Mg)	0.80	0.82	Pass	
Sulfur (S)	1.00	1.41	Pass	
Copper (Cu)	0.05	0.04	Deficient	$2.28
Iron (Fe)	2.00	2.48	Pass	
Manganese (Mn)	0.05	0.07	Pass	
Zinc (Zn)	0.05	0.05	Pass	
Assessed Penalty Per Ton	$2.28			
Total Penalty	$0			

REMARKS: Total Penalty adjusted to nearest Dollar.

STOP SALE: The above described fertilizer was found to be deficient. You are hereby notified not to sell, offer for sale, remove or permit removal from your premises the fertilizer decribed above until released by the Division of Regulatory Services. There is no penalty. However, all the fertilizer in this lot must be accounted for and relabeled according to our findings.

The above described fertilizer was analyzed by our laboratory under the Kentucky Feed Law and Regulations. Questions concerning this report should be sent to: Stephen McMurry, Fertilizer and Seed Program Director: smcmurry@uky.edu

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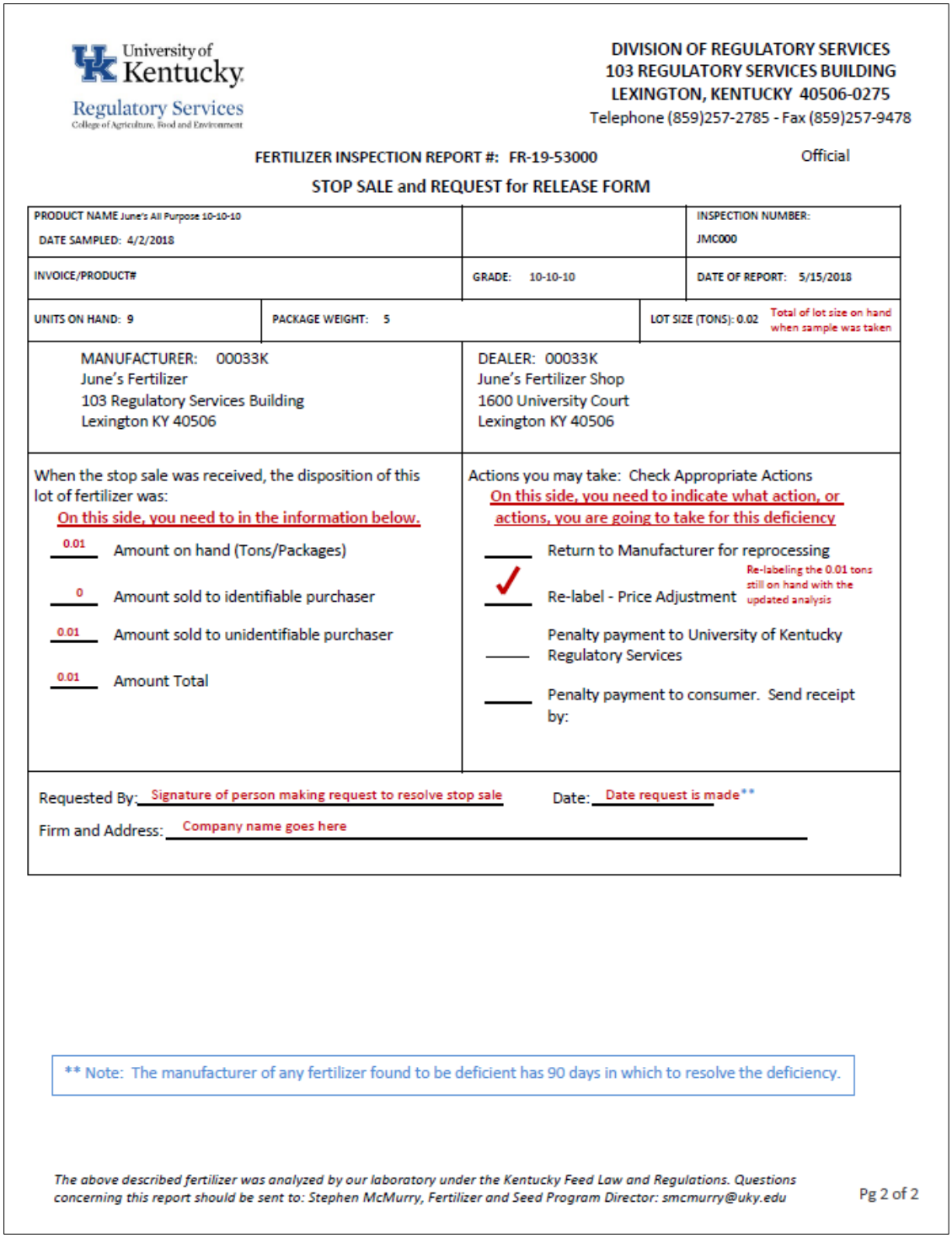
The actions you may take to resolve the stop sale are located on page 2 of the analysis. See below.



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FERTILIZER INSPECTION REPORT #: FR-19-53000 Official

STOP SALE and REQUEST for RELEASE FORM

PRODUCT NAME June's All Purpose 10-10-10 DATE SAMPLED: 4/2/2018		INSPECTION NUMBER: JMC000
INVOICE/PRODUCT#	GRADE: 10-10-10	DATE OF REPORT: 5/15/2018
UNITS ON HAND: 9	PACKAGE WEIGHT: 5	LOT SIZE (TONS): 0.02 Total of lot size on hand when sample was taken

MANUFACTURER: 00033K
June's Fertilizer
103 Regulatory Services Building
Lexington KY 40506

DEALER: 00033K
June's Fertilizer Shop
1600 University Court
Lexington KY 40506

When the stop sale was received, the disposition of this lot of fertilizer was:
On this side, you need to in the information below.

- 0.01 Amount on hand (Tons/Packages)
- 0 Amount sold to identifiable purchaser
- 0.01 Amount sold to unidentifiable purchaser
- 0.01 Amount Total

Actions you may take: Check Appropriate Actions
On this side, you need to indicate what action, or actions, you are going to take for this deficiency

- ____ Return to Manufacturer for reprocessing
- ✓ Re-label - Price Adjustment — Re-labeling the 0.01 tons still on hand with the updated analysis
- ____ Penalty payment to University of Kentucky Regulatory Services
- ____ Penalty payment to consumer. Send receipt by:

Requested By: Signature of person making request to resolve stop sale Date: Date request is made**

Firm and Address: Company name goes here

** Note: The manufacturer of any fertilizer found to be deficient has 90 days in which to resolve the deficiency.

The above described fertilizer was analyzed by our laboratory under the Kentucky Feed Law and Regulations. Questions concerning this report should be sent to: Stephen McMurry, Fertilizer and Seed Program Director: smcmurry@uky.edu

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A copy of the label that will be used to re-label and the signed sample analysis should be returned to our office to resolve the stop sale.

Note: Copies of the sample analysis are sent to both the manufacturer and distributor.

How to Resolve a Fertilizer Stop Sale
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For a stop sale that has created a monetary penalty.

For a deficient sample that has a monetary penalty associated but the purchaser unidentifiable, page one shows all of the identifiable information for the sample, just as it did on the sample above. The sample also shows the element(s) that is/are deficient, as well as the penalty that deficiency has attached to the sample.

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FERTILIZER INSPECTION REPORT #: FR-19-53000 Official

PRODUCT NAME: June's All Purpose 10-10-10	SAMPLING METHOD: Purchased Pkg. (Dry)	INSPECTION NUMBER: JMC000
MANUFACTURER: 00033K June's Fertilizer 103 Regulatory Services Building Lexington KY 40506	DEALER: 00033K June's Fertilizer Shop 1600 University Court Lexington KY 40506	
CUSTOMER: No customer or purchaser is identified here, you have unidentified purchaser(s)	PACKAGE WEIGHT: 5 UNITS ON HAND: 9 NUMBER SAMPLED: 1	PACKAGE: Bag LOT SIZE (TONS): 12.02 FERTILIZER TYPE Blend/Grade
INVOICE/PRODUCT#	GRADE: 10-10-10 DATE SAMPLED: 4/2/2018	DATE OF REPORT: 5/15/2018

Composition	% Guarantee	%Found	Comment	Penalty per Ton
Total Nitrogen (N)	10.00	10.60	Pass	
Available Phosphate (P2O5)	10.00	9.92	Pass	
Soluble Potash (K2O)	10.00	9.49	Pass	
Value ($/ton)	211.90	213.66		
% Relative Value		100.83		
Calcium (Ca)	5.00	5.40	Pass	
Magnesium (Mg)	0.80	0.82	Pass	
Sulfur (S)	1.00	1.41	Pass	
Copper (Cu)	0.05	0.04	Deficient	$2.28
Iron (Fe)	2.00	2.48	Pass	
Manganese (Mn)	0.05	0.07	Pass	
Zinc (Zn)	0.05	0.05	Pass	
Assessed Penalty Per Ton	$2.28			
Total Penalty	$27.00			

REMARKS: Total Penalty adjusted to nearest Dollar.

STOP SALE: The above described fertilizer was found to be deficient. You are hereby notified not to sell, offer for sale, remove or permit removal from your premises the fertilizer decribed above until released by the Division of Regulatory Services. There is no penalty. However, all the fertilizer in this lot must be accounted for and relabeled according to our findings.

The above described fertilizer was analyzed by our laboratory under the Kentucky Feed Law and Regulations. Questions concerning this report should be sent to: Stephen McMurry, Fertilizer and Seed Program Director: smcmurry@uky.edu

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Page two indicates the options that are available to the manufacturer to resolve the stop sale.

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FERTILIZER INSPECTION REPORT #: FR-19-53000 Official

STOP SALE and REQUEST for RELEASE FORM

PRODUCT NAME June's All Purpose 10-10-10 DATE SAMPLED: 4/2/2018		INSPECTION NUMBER: JMC000
INVOICE/PRODUCT#	GRADE: 10-10-10	DATE OF REPORT: 5/15/2018
UNITS ON HAND: 9	PACKAGE WEIGHT: 5	LOT SIZE (TONS): 12.02 Total of lot size on hand when sample was taken

MANUFACTURER: 00033K
June's Fertilizer
103 Regulatory Services Building
Lexington KY 40506

DEALER: 00033K
June's Fertilizer Shop
1600 University Court
Lexington KY 40506

When the stop sale was received, the disposition of this lot of fertilizer was:
On this side, you need to in the information below.

0.01 Amount on hand (Tons/Packages)

0 Amount sold to identifiable purchaser

12.01 Amount sold to unidentifiable purchaser

12.01 Amount Total

The penalty needs to be paid on the total product SOLD. 12.01 (sold to unidentifiable purchaser X 2.28 (total penalty per ton) = 27.3828. Rounded up, the total penalty due is $27.00.

Actions you may take: Check Appropriate Actions
On this side, you need to indicate what action, or actions, you are going to take for this deficiency

____ Return to Manufacturer for reprocessing

✓ Re-label - Price Adjustment — Re-labeling the 0.01 tons still on hand with the updated analysis

____ Penalty payment to University of Kentucky Regulatory Services

✓ Penalty payment to consumer. Send receipt by:

Penalty for the total amount of product sold is paid to the University of Kentucky

Requested By: Signature of person making request to resolve stop sale Date: Date request is made**

Firm and Address: Company name goes here

** Note: The manufacturer of any fertilizer found to be deficient has 90 days in which to resolve the deficiency.

The above described fertilizer was analyzed by our laboratory under the Kentucky Feed Law and Regulations. Questions concerning this report should be sent to: Stephen McMurry, Fertilizer and Seed Program Director: smcmurry@uky.edu

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Once you have chosen the option that your company is going to take to resolve the stop sale, mark it, sign the form and return it, along with supporting paperwork and payment, if any. In this instance a copy of the label you plan to re-label the product with and penalty payment, to my office to be processed. Once everything is received, the stop sale will be closed

Note: A copy of the sample is sent to the manufacturer and the dealer.

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For deficient samples with a monetary penalty attached sold to an identifiable purchaser, generally a farmer, the penalty due must be paid to that farmer.

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FERTILIZER INSPECTION REPORT #: FR-18-50000 Official

PRODUCT NAME: Crawford	SAMPLING METHOD: Load D Method	INSPECTION NUMBER: JMC000
MANUFACTURER: 00033K Crawford Fertilizer 123 Fertilizer Street Lexington KY 40506	DEALER: 00033K Crawford Fertilizer 123 Fertilizer Street Lexington KY 40506	
CUSTOMER: SF9999 June Crawford 103 Regulatory Services Building Lexington KY 40506	PACKAGE WEIGHT: UNITS ON HAND: NUMBER SAMPLED:	PACKAGE: DRY BULK LOT SIZE (TONS): 6.03 FERTILIZER TYPE CM
INVOICE/PRODUCT# Invoice 123ABC	GRADE: 21-15-17 DATE SAMPLED: 5/10/2018	DATE OF REPORT: 6/12/2018

Composition	% Guarantee	%Found	Comment	Penalty per Ton
Total Nitrogen (N)	21.24	17.75	Deficient	$59.51
Available Phosphate (P2O5)	15.27	8.90	Deficient	$135.35
Soluble Potash (K2O)	16.60	25.14	Pass	
Value ($/ton)	381.92	353.93		
% Relative Value		92.67	Deficient	$55.97
Boron (B)	0.0593	0.0542	Pass	
Assessed Penalty Per Ton	$194.86			
Total Penalty	$1,175			

REMARKS: Total Penalty adjusted to nearest Dollar.

The above described fertilizer was found to be deficient. Penalty payment to the consumer should be paid within 90 days from Date of Report. Please send a receipt of the payment to our office.

This is an example of a product that was specifically blended for a customer that did not meet the guarantee. The total penalty highlighted above is the total due to the purchaser. The penalty can be refunded to the customer account (if they have one) or may be paid via check to the purchaser. Proof of the credit or payment must be forwarded to the Division in order for the stop sale to be resolved and closed. This reimbursement must be made within 90 days of the date of the report.

The above described fertilizer was analyzed by our laboratory under the Kentucky Feed Law and Regulations. Questions concerning this report should be sent to: Stephen McMurry, Fertilizer and Seed Program Director: smcmurry@uky.edu

The farmer account may be credited, if they have one, or the penalty may be made by check to the farmer. Evidence of that refund as well as a copy of the sample should be sent to our office in order to resolve/close the stop sale

Note: A copy of the sample is sent to both the manufacturer and the purchaser.

Questions regarding stop sales are welcome, if you have any please contact us at 859-257-2668.

College of Agriculture, Food and Environment
Regulatory Services