

**RULES OF THE**

**MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE**

SUBPART 3

CHAPTER 03-Fertilizer

Customer Formula Fertilizer Blending Facility.

107.01 A person or firm who custom mixes fertilizer, materials or mixed fertilizer in any combination to specifications furnished by a consumer prior to mixing shall be called a custom-mixed fertilizer distributor. Such mixtures are not required to conform to an approved grade or ratio. Provided, however, mixtures must meet minimum requirements stated in sections 102.03 to 103.02 of this chapter. Such a custom mixer shall register his operation with the Commissioner of Agriculture and Commerce prior to performing any such mixing, pay the appropriate annual registration fee as outlined below, and shall make application to the Commissioner for a permit to report and pay quarterly the fertilizer inspection fee as required under the Mississippi Fertilizer Law of 1970.

107.02 The amount of the annual registration fee for a custom-mixed fertilizer distributor will be based on the following schedule:

TONNAGE SOLD	ANNUAL REGISTRATION FEE
Less than 500 .....	\$50.00
501 - 1,000 .....	75.00
1,001 - 1,500 .....	100.00
1,501 - 2,500 .....	150.00
2,501 - 3,500 .....	200.00
3,501 - 5,000 .....	250.00
5,001 and over.....	300.00

107.03 The amount of the annual registration fee due for the new permit year will be based on the tonnage of custom mixed sold in the fourth quarter of the previous permitted year and the first three quarters of the current permitted year. The registration fee shall be due as of July 1 each year and payment shall be made not later than July 31 of that year. The initial application for registration shall be based on tonnage sold in the period mentioned, from the applicant's best available records, and the applicant shall certify that the tonnage shown in the application is correct to the best of his knowledge.

107.04 In addition to the annual registration fees for the privilege of doing business as a custom-mixed fertilizer distributor, such a custom mixer will also pay the tonnage inspection fees on all tonnage of materials or mixed fertilizers sold to a nonregistrant.

107.05 The custom-mix fertilizer distributor shall comply with Section 75-47-13 of the Fertilizer Law, Tonnage Reports, as any other distributor of commercial fertilizer in the State.

107.06 Custom mixtures distributed in containers shall be labeled in accordance with provisions of the Fertilizer Law of 1970. The grade must coincide with the guaranteed analysis statement. In the case of bulk shipments, the person making delivery to the customer shall have in his possession two (2) copies of the delivery ticket or invoice showing the customer's name and address, the materials and-or mixed fertilizers and pounds thereof which constitute the mixture, pounds of seed in the mixture, and the whole number guaranteed analysis based on material input; provided, however, as a matter of information to the customer, the actual calculated analysis may also be shown.

107.07 Upon inspection and sampling by a representative of the Commissioner, the person making the delivery shall provide the inspector with one copy of the invoice or delivery ticket. One copy of the delivery ticket or invoice shall be supplied to the purchaser at the time of delivery, if practical. Otherwise, the purchaser shall be mailed such document by United States mail within 24 hours of the time delivery was made.

107.08 A firm may operate both as a custom-mixed fertilizer distributor and as a standard grade fertilizer distributor by paying all appropriate fees, keeping the proper records, and complying with all other provisions of the law and regulations appropriate to each type of operation.

Section 107 amended 1992; January, 2013.

Source: Miss. Code of 1972, §75-47-27

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107.02 The amount of the annual registration fee for a custom-mixed fertilizer distributor will be based on the following schedule:

TONNAGE SOLD <del>PREVIOUS 12 MONTHS</del>	ANNUAL REGISTRATION FEE
Less than 500 .....	\$50.00
501 - 1,000 .....	75.00
1,001 - 1,500 .....	100.00
1,501 - 2,500 .....	150.00
2,501 - 3,500 .....	200.00
3,501 - 5,000 .....	250.00
5,001 and over.....	300.00

107.03 The amount of the annual registration fee due for the new permit year will be based on the tonnage of custom mixed sold in the fourth quarter of the previous permitted year and the first three quarters of the current permitted year. ~~during the preceding 12 calendar months, commencing with July 1 and ending June 30.~~ The registration fee shall be due as of July 1 each year and payment shall be made not later than July 31 of that year. The initial application for registration shall be based on tonnage sold in the period mentioned, from the applicant's best available records, and the applicant shall certify that the tonnage shown in the application is correct to the best of his knowledge.

107.04 In addition to the annual registration fees for the privilege of doing business as a custom-mixed fertilizer distributor, such a custom mixer will also pay the tonnage

inspection fees on all tonnage of materials or mixed fertilizers sold to a nonregistrant.

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