

## The guidelines for fertilizer license

### The Fertilizer Control Order, 1985

#### Chapter II

##### Clause 3: Fixation of prices of fertilizer

Sub clause (3) states that no dealer, manufacturer, importer or Pool Handling Agency shall sell, offer for sale any fertilizer at a price exceeding the maximum price fixed by Central Govt by notification in this regard. Price of fertilizer & available stock of fertilizer should be displayed at the conspicuous part of his establishment.

#### Chapter IV

##### Clause 8 : Application for intimation or registration

No person intending to sell, offer for sale any fertilizer as industrial dealer in Form A & as manufacturer, importer, Pool Handling Agency, wholesale dealer /Retailer shall make a memorandum of intimation to the Registering Authority in Form A<sub>1</sub> duly filled with fees prescribed as per clause 36 & certificate of source in Form 'O'

On receipt of memorandum of intimation (MOI) complete in all respects, the Registering Authority shall issue an acknowledgement of receipt in Form A<sub>2</sub> & it shall be deemed to be an authorization letter under the provision of this Order

Provided also that separate MOI shall be submitted for wholesale/ retail dealership as the case may be. Provided also that fertilizer obtained for sale from different sources, certificate of source from each such source shall be furnished in the Form 'O'

Provided that where the manufacturer of organic fertilizer is a State Govt or Municipality, it shall not be necessary to obtain authorization letter

Provided also that where the manufacturer of vermi compost, other than State Govt or Municipality, has annual production capacity less than 50 MT, it shall not be necessary for him to obtain Authorization Letter

##### Clause 9 : Grant or refusal of certificate of registration :

The applicant shall apply to the Registering Authority in Form A<sub>1</sub>, A, D & E as the case may be where the Authority shall issue licence for period of 3 years in the Form B, C, F & G for whole seller/retailer, industrial dealer, manufacturer of fertilizer & manufacturer of special mixture respectively & certificate of the same shall not be granted if previous one is suspended /cancelled, if the dealer is convicted, if the application is incomplete or mandatory documents is not furnished eg Form O, Fees Etc

On submission of Form A/A<sub>1</sub> with prescribed fees, Certificate of source & other relevant document, the registration of renewal shall be issued within a period of 30 days from the date of receipt of application of renewal. The certificate of license remains valid for a period of 3 years from the date of issue where in case of special mixture manufacture it is for six months & shall have to be renewed before the expiry date of validity.

Provided that certificate of registration shall not be renewed if the holder of certificate did not sell any fertilizer during the period of one year immediately preceding the date of expiry of period of validity

#### Chapter v

Clause 12 : No person shall carry on business of preparing any mixture of any type of fertilizer unless it fulfill the terms & condition as laid down in clause 15 or 16 i.e. unless he has valid certificate in this regard & it conforms the standard set out in Part A of Schedule I,III &IV.

#### Chapter-VI

Clause 19: Restriction on manufacturer, Sale, distribution of fertilizers

No person shall manufacture for sale, sell, offer for sale, exhibit for sale, or distribute any fertilizer which is not of prescribed standard or is not packed and marked in the manner laid down in this Order or imitation or substitute of other under the name of which it is sold or any fertilizer which is adulterated.

Clause 21: Every manufacturer, Importer, Pool Handling Agency should comply with the following requirements:

a) Every container in which any fertilizer is packed shall conspicuously be superscribed with word 'fertilizer' and shall bear such particulars as specified by Registering Authority. It should be packed and sealed in such a way that it cannot be tampered with.

Clause 21 A: Every manufacturer should have minimum laboratory facility to ensure the quality of the product as may be specified by Registering Authority for time to time , they will draw batch wise sample as per FCO where tested result in their laboratory should be kept in record for verification and they should appoint an officer with the consultation of State Govt who remains responsible for compliance with provision of this FCO.

#### Chapter-ix

The Notified Authority may, after being heard, suspend, cancel or debar the dealer from doing the fertilizer business for willful suppression of material fact or misrepresentation of relevant particular or non compliance of any terms and conditions as laid in the Order.


Provided while debarring from carrying business of fertilizer or canceling the certificate, dealer shall be allowed for a period of thirty days to dispose of balance stock of fertilizer if any held by him

Every manufacturer, Wholesaler, Pool Handling Agency or Retailer should facilitate the Fertilizer Inspector appointed by Registering Authority under clause-27 to draw sample from the premises and furnished any information relating to his fertilizer business to the Inspector.

When the certificate of Registration or certificate of manufacture or import is defaced or lost, the Registering Authority may, on application on this behalf together with the fees as prescribed, grant a duplicate copy of such certificate. (Clause-33)

Accordingly its amendment in entry in such certificate may be made to that effect subject to submission of prescribed fee and supporting documents (Clause-34)

The Registering Authority may direct the Manufacturers, Retailers, Importers to maintain such Books of Accounts, record etc, relating to their business as may be specified and to submit to such Authority the Return and Statements or any other information as may be specified in that Order.

  
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