

**Criteria for Requesting Exemption from Ordinance 08-08, Section 8(3) – Exemption of fertilizer products that are primarily organic material**

- 1) Is the product registered and licensed with the Florida Department of Agriculture and Consumer Services (FDACS) and does it have a guarantee analysis label? Or did FDACS determine that no guarantee label analysis is required? (Lee County will require documentation from FDACS that no label is required.)
  - a. If the company is not licensed and the product is not registered with FDACS properly then the product is not eligible for exemption from Ordinance 08-08.

Companies interested in obtaining the necessary licensing and registration with FDACS can contact **Bill Cox** at [coxb@doacs.state.fl.us](mailto:coxb@doacs.state.fl.us) or **(850) 487-2085**. For more information on Florida's licensing and registration requirements, administrative codes, etc please visit <http://www.flaes.org/>.

- b. If no label required by FDACS then the product may be exempt. The product label should be submitted to Lee County for assessment so that we can document our review.
    - c. If a label is required go to criteria #2.
- 2) If a guarantee analysis label is required by FDACS, can the producer certify (through a FDACS lab or Thornton Lab-Tampa report - see <http://www.flaes.org/aes-fslab/fsfforms.html>) that the content of the product meets the definition of "natural organic" by F.S. 576.001 (24)? The rationale for differentiating natural versus synthetic organic material is that natural organics are consistent with Ord 08-08's existing intent; our examples include materials all derived from natural sources such as compost, mulch, manure, etc.

Lee County Division of Natural Resources (DNR) and IFAS Extension Services will review requests and written approval or denial for all requests will be issued as expeditiously as possible (2 to 4 weeks unless otherwise specified) by DNR (239-533-8109). The decision resulting from review of products submitted for exemption under Ordinance 08-08 will be including and not limited to the criteria above.

For any other updates pertaining to this ordinance please visit <http://www.fertilizesmart.com>.