

# Minnesota Crop Production Retailers



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February 4, 2009

General Manager  
Sample Company  
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Somewhere, MN 12345

Dear General Manager,

At the recent Minnesota Crop Production Retailers (MCPR) Board meeting, we discussed with Minnesota Department of Agriculture (MDA) representatives the strong concern MCPR has about the large increase in direct to farmer dry fertilizer sales. Our concerns relate to the marketing information firms are utilizing and the illegal storage of dry fertilizer in farms across Minnesota. On your behalf, MCPR has taken the following steps to address our problem:

1. MCPR is corresponding with Minnesota agriculture wholesalers/distributors about the noticeable increase in direct to farmer sales of dry fertilizer. We expressed concern about the potential illegal and unsafe storage. We reminded folks in the memo that the MDA requires all facilities storing dry fertilizer to be permitted. The memo stated that the actions of a few firms may result in lowering the integrity of our industry by placing fertilizer in facilities with no safe guards. We also warned that in the event these non-permitted storage facilities become the source of an environmental issue the ramifications will move well past just the broker and producer involved. As you know, MCPR is in no position to stop the unsafe and illegal storage of dry fertilizer to unpermitted farm sites, but we intend to express concern that we are aware of the unsafe practices being promulgating and anyone involved should expect to be held accountable for consequences of their marketing and sales practices.
2. We are informing you through this letter to MCPR members and on MDA's web site of the rules and regulations concerning dry fertilizer storage in any Minnesota facility. The MDA has assured MCPR that the regulations governing dealer storage of dry fertilizer apply similarly to on farm storage of dry fertilizer in Minnesota. To remind you, the law reads:

*(Excerpt from) Minnesota Statutes 18C.305 FERTILIZER FACILITIES (2008)*  
*Subd. 1. Construction Permit. A person must obtain a permit from the commissioner on forms provided by the commissioner before the person constructs or substantially alters: (1) safeguards; or (2) an existing facility used for the distribution, handling, or bulk storage of fertilizers, soil amendments, or plant amendments. The commissioner may not grant a permit for a site without*

**safeguards that are adequate to prevent the escape or movement of the fertilizers from the site.**  
(bold added)

See MDAs website for additional information:

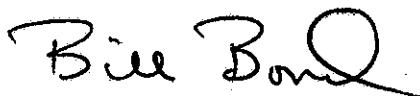
<http://www.mda.state.mn.us/news/publications/chemfert/bulkprmt.pdf>

3. You are encouraged to notify the MDA if you are aware of dry fertilizer storage sites that are not complying with MDA safeguard and permit regulations. Paul Liemandt, Assistant Director, MDA Pesticide & Fertilizer Management, offers the following. *"All persons (dealer or farmer) must comply with minimum Minnesota dry fertilizer storage standards. If you wish, you can provide specific information about who, when, how and where improper dry fertilizer storage is occurring. You need to be aware that you must supply your name, address, and contact information to the department when filing such a complaint or report. Complainant identity is treated as confidential and will remain confidential except as might be required by a court. The MDA investigates such reports in a timely, priority fashion. A person may inquire as to the outcome of report or investigation by contacting the MDA Inspections & Permitting Unit, at 651-201- 6276."*

We understand why you would be hesitant to report customers...this is not something any dealer takes lightly. However, given the confidentiality information the MDA supplied to MCPR above, MCPR Board members are urging you to join them in reporting unsafe, illegal dry fertilizer storage in Minnesota. This practice will not be addressed unless all of us take this threat to our environment and our industry very seriously.

Thanks for your MCPR membership and your continued support of our programs and services. Together...we do it better!

Sincerely,



Bill Bond, Executive Director

Minnesota Crop Production Retailers