

## Turf Fertilizer Phosphorous Restrictions

### Introduction

Wisconsin law limits the use, retail display, and sale of turf fertilizers that contain phosphorus or available phosphate. These restrictions impact businesses selling fertilizers and turf fertilizer users such as lawn care businesses, golf courses, municipalities, and homeowners. The law does not apply to fertilizers made from finished sewage sludge or manipulated animal and vegetable manures that do not contain phosphorous.

The intent of the law is to protect Wisconsin's lakes, rivers, streams, and other waterbodies from phosphorus runoff. Phosphorus is an essential plant nutrient, but phosphorous that is not used by plants can runoff into waterbodies and contribute to algae blooms and declining water quality.

This document only covers Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) authority for phosphorous fertilizer use on turf. Different state regulations are applicable to fertilizers used for agriculture, sod farms, ornamentals, and non-agricultural areas other than turf. Non-agricultural turf fertilizer applications of other nutrients, such as nitrogen or calcium, are excluded. Use restrictions for combination fertilizer and herbicide, insecticide, or other pesticides (e.g. weed and feed) are also regulated differently.

### Law

[s. 94.643 Wis. Stats.](#) Restrictions on the use and sale of fertilizer containing phosphorus.

The law defines turf as:

94.643(1)(b) "Turf" means land, including residential property, golf courses, and publicly owned land, that is planted in closely mowed, managed grass, except that "turf" does not include pasture, land used to grow grass for sod, or any other land used for agricultural production.

### Fertilizer Labels

Fertilizer labels include a guaranteed analysis that identifies the percentage of plant nutrients within the product. The three numbers prominently displayed on labels identify the primary plant nutrients of Nitrogen (N), Phosphorous or Phosphate (P), and potash (K). For example, 10-8-15 correlates to 10% N, 8% P, and 15% K. If the middle number has a value, the turf use restrictions apply to that product.

### Turf Application Restrictions

Turf fertilizer labeled as containing phosphorus or available phosphate may only be applied to turf when:

1. Establishing grass by seed or sod. Phosphorous fertilizers are allowed during the growing season that the turf is being established.
2. A laboratory soil test determines the turf area is deficient in phosphorous. The soil test must be completed no more than 36 months before the application. Unlike the agricultural soil testing laboratory certification process in s. 92 Wis. Stats., there is no mechanism for DATCP to certify nonagricultural soil testing laboratories in s. 94.643 Wis. Stats.

Additionally, all fertilizers, regardless of ingredients, cannot be applied to:

- Turf when the ground is frozen. Ground is considered frozen when you cannot dig down six to eight inches. Snow is not a good indicator.
- Impervious surfaces. Fertilizer on an impervious surface must be removed immediately. Sweep or blow the fertilizer into the target area and do not wash it into a storm drain.

### **Retail Sales**

Retailers cannot sell turf fertilizers containing phosphorous to a purchaser they know will violate the restriction on use identified above.

Retailers do not have to keep sales records of those who purchase turf fertilizer.

### **Retail Display Restrictions**

Retailers cannot display turf fertilizers with phosphorous or available phosphate. The retailer can post a sign advising customers that phosphorous turf fertilizers are available for legal uses upon request.

### **Penalties**

Violators may be required to forfeit not more than \$50 for a first violation and not less than \$200 nor more than \$500 for a 2nd or subsequent violation.

### **Contact**

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