



**FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**  
**COMMISSIONER WILTON SIMPSON**

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**MEMORANDUM**

TO: Florida Fertilizer Licensees

FROM: Steven Harley, Manager I, Bureau of Licensing and Enforcement

DATE: February 2, 2026

SUBJECT: Notice of Revision to Rule 5E-1 Florida Administrative Code (F.A.C.)

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Effective January 27, 2026, the Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, adopted revisions to Rule 5E-1, F.A.C., which may affect your business. The summary below outlines some of the major rule updates. To review all amendments in full, please refer to the complete text of [Rule 5E-1](#), F.A.C.

**5E-1.0012: Definitions.**

The existing rule definitions were organized into one new comprehensive definition section, and the following new definitions were adopted: Beneficial Substances, Controlled Release Fertilizer, Slow Release Fertilizer, Plant Amendment, Plant Biostimulant, Plant Inoculant, and Soil Inoculant.

**5E-1.002: Beneficial Substances Registration and Labeling.**

- The Association of American Plant Food Control Officials (AAPFCO) Model Bill labeling requirements for beneficial substances was incorporated and requires that the distribution of undefined beneficial substance source materials meet the requirements set forth in subsection [576.151\(8\)](#), Florida Statutes (F.S.). Furthermore, the beneficial substances label format replaces the historical soil amendment, soil additive and soil conditioner label formatting requirement found in subsection 5E-1.003(5), F.A.C.
- Compost and manure labeling requirements were relocated into subsection 5E-1.008, F.A.C.

### **5E-1.003: Labels or Tags.**

- The requirement for bulk fertilizer analysis tags was updated to mirror statutory language, which requires the fertilizer licensee to provide two fertilizer analysis tags instead of five analysis tags at the time of delivery.
- The AAPFCO organic nitrogen labeling requirement was adopted to replace the historical organic labeling requirement from subsection 5E-1.003(1)(b), F.A.C.
- Obsolete urban turf language was removed from subsection 5E-1.003(2), F.A.C., relating to existing stocks of fertilizer.
- A section for fractional grade guarantee labeling requirements was added to reflect language in subsection 576.011(17), F.S.

### **5E-1.007: Pesticides in Fertilizer.**

- The transportation requirements were removed, as this falls under the authority of the Florida Department of Transportation.

### **5E-1.008: Low Analysis Fertilizer.**

- Updates were made to clarify when fractional guarantees can be used on the label for ready to use spray fertilizers, specialty liquid fertilizers, hydroponic fertilizers, continuous liquid feed, potting soil with fertilizer, and mulch with fertilizer.
- Language was incorporated to specify that no minimum primary plant nutrient guarantees are required for specialty liquid fertilizers, hydroponic fertilizers, and continuous liquid feed fertilizers containing less than 5% total primary plant nutrients. These types of fertilizers may also be guaranteed in fractional units.
- The labeling requirements for manures and compost were relocated into this subsection.
- Language was added to specify that the name of the animal manure source material is to be expressed within a fertilizer label's derivation statement.

### **5E-1.009: Sampling.**

The references to forms used by the Department for fertilizer sample collection and deficient fertilizer penalty assessments were updated.

### **5E-1.012: Reports and Inspection Fee Payment, Inspection Fees, Reporting.**

The monthly statistical reporting of fertilizer requirement was updated to quarterly, in order to coincide with the quarterly tonnage fertilizer sales reporting requirement in [subsection 576.041\(2\)\(b\)](#), F.S.

**5E-1.014: Methods of Analyses.**

The Fertilizer Laboratory Methods Manual was updated to reference the current version. The manual contains the most up-to-date methods of analysis utilized by the department.

**5E-1.023: Procedures for Landowners and Leaseholders to Submit a Notice of Intent to Implement Nitrogen Best Management Practices (BMPs).**

The section was repealed as the requirements are set forth in BMP manuals adopted in rule by the Office of Agricultural Water Policy.

**5E-1.025: Fertilizer Aircraft Registration, Inspection, Security, Storage, Transactions, Recordkeeping, Area-of-Application Information and Forms.**

Document form names, references, and hyperlinks were corrected, and form references that are no longer applicable to Fertilizer Aircraft registration were removed.

**5E-1.026: Adulteration Levels for Metals in Fertilizers; Certificate of Analysis.**

Subscripts, superscripts and updated citations were corrected.

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Our mission is to facilitate compliance, ensure consumer protection, and support businesses in operating in accordance with applicable regulations. In alignment with these objectives, we are here to assist with any questions you may have. The new requirements in 5E-1.002, F.A.C. may require label changes. We will provide a compliance grace period through December 31, 2026, for the new label provisions of 5E-1.002, F.A.C. We appreciate your continued cooperation and commitment to compliance. Should you require any further assistance, please do not hesitate to reach out to our office at 850-617-7860 or [Steve.Harley@fdacs.gov](mailto:Steve.Harley@fdacs.gov).