



## **Fertiliser sellers have legal obligations – are you aware?**

Regardless of whether or not you, as an importer, manufacturer or seller of fertiliser, choose to become Fertmark accredited, there are legal obligations that those selling fertiliser must fulfil.

All fertilisers and fertiliser additives imported, manufactured, sold or used in New Zealand are exempt from the requirement to be formally registered under the Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997. However, this is subject to meeting the conditions and requirements set out in the ACVM (Exemptions and Prohibited Substances) Regulations 2011.

The conditions and requirements for exemption are intended to ensure the Purpose of the ACVM Act is achieved. The Purpose of the ACVM Act (Sect 4) is to;

- 1) prevent or manage risks associated with the use of agricultural compounds, being:
  - a) risks to public health; and
  - b) risks to trade in primary produce; and
  - c) risks to public health; and
  - d) risks to animal welfare; and
  - e) risks to agricultural security: (being exclusion, eradication, and effective management of pests and unwanted organisms)
- 2) ensure that the use of agricultural compounds does not result in breaches of domestic food residue standards:
- 3) ensure the provision of sufficient consumer information about agricultural compounds.

These regulatory requirements are specified in more detail here:

<https://www.biosecurity.govt.nz/dmsdocument/3374-obligations-under-the-acvm-regulations>

Manufacturers, importers and sellers of fertilisers exempt from registration should seek qualified and detailed legal advice to fully understand their legal obligations under ACVM Act and its associated regulations.