



Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor  
Joseph Bartenfelder, Secretary  
James P. Eichhorst, Deputy Secretary

The Wayne A. Cawley, Jr. Building  
50 Harry S. Truman Parkway  
Annapolis, Maryland 21401  
www.mda.maryland.gov

410.841.5959 Baltimore/Washington  
410.841.5950 Fax  
800.492.5590 Toll Free

## Consumer Information Regarding COMMERCIAL FERTILIZER APPLICATIONS TO NON-AGRICULTURAL LAND

The *Fertilizer Use Act of 2011*—also known as *Maryland's Lawn Fertilizer Law*—authorizes the Maryland Department of Agriculture's (MDA) Nutrient Management Program to regulate the use of fertilizer on turf not used for agricultural purposes. All persons employed to apply nutrients to non-agricultural turf are required to be certified and licensed by MDA. The law applies to professionals for hire as well as individuals responsible for turf management at golf courses, public parks, airports, athletic fields, businesses, cemeteries and other non-agricultural properties. Maryland's *Lawn Fertilizer Law* went into effect October 1, 2013. The law only pertains to fertilizer products applied to turf—not gardens or landscaped areas. Following are some frequently asked questions concerning the new law.

### **Q. Why is there a law for fertilizer?**

**A.** Nutrients—primarily nitrogen and phosphorus—are key ingredients in lawn fertilizer. When it rains, excess nutrients can wash off the land and into the storm drains, streams and rivers that feed the Chesapeake Bay. Once in our waterways, excess fertilizers contribute to the growth of algae blooms that block sunlight from reaching Bay grasses, rob the water of oxygen and threaten underwater life. Maryland's Lawn Fertilizer Law is about protecting water quality in our streams, rivers and the Bay. If fertilizer products are applied to your lawn, this law affects you.

### **Q. I just want my lawn to be green and lush. Will the new law make it harder for me to have a nice lawn?**

**A.** Most lawns benefit from annual fertilizer treatments to promote thick grass and improved pest and drought resistance. Healthy lawns absorb rainwater runoff and help keep soil and other pollutants from reaching waterways. Maryland's Lawn Fertilizer Law helps homeowners maintain healthy lawns without the use of unnecessary amounts of nutrients. The law spells out common sense practices that can reduce the risk of fertilizer runoff while promoting best management practices that support healthy lawns.

### **Q. What about farmers? Don't they use fertilizers too?**

**A.** Lawn fertilizer now accounts for approximately 44 percent of the fertilizer sold in Maryland. While restrictions on fertilizer use have been in place for farmers since 2001, nutrient runoff from all major sources needs to be addressed if Maryland is to meet pollution caps established by the federal government and outlined in its "pollution diet" for the Chesapeake Bay.

### **Q. What is land not used for agricultural purposes?**

**A.** A parcel of land that is not assessed for agricultural use under Tax-Property Article, § 8-209, Annotated Code of Maryland. This includes commercially managed home lawns, golf courses, athletic fields, cemeteries, and all state land.

**Q. What is fertilizer?**

**A.** A substance containing a recognized plant nutrient used for its plant nutrient content and designed for use, or claimed to have value in promoting plant growth. This may include substances that have not been registered with MDA as fertilizers. *Maryland's Lawn Fertilizer Law* addresses nitrogen and phosphorus content only. Potassium, lime and other nutrients are not considered a threat to water quality in the Chesapeake Bay at this time.

**Q. What is the difference between a fertilizer and a pesticide?**

**A.** Fertilizer products contain nutrients such as nitrogen, phosphorus and potassium that are used to help plants grow. Pesticides are used to control weed and insect pests and are regulated by MDA's Pesticide Regulation Section. Weed and Feed products contain fertilizers *and* pesticides and are regulated by both the Nutrient Management Program and MDA's Pesticide Regulation Section.

**Q. How will these regulations affect the ability of my lawn service to maintain my lawn?**

**A.** The amount and form of nitrogen fertilizer that may be applied in a single application to your lawn is limited. The annual total amount of fertilizer applied may not exceed the most recent University of Maryland Extension recommendations. Professionals may not apply fertilizer containing nitrogen or phosphorus to lawns between December 1 and March 1. Setbacks of 10-15 feet exist next to waterways, depending on the type of equipment used. Fertilizer containing phosphorus may not be applied to lawns unless a soil test indicates that it is needed or the lawn is being established, patched or renovated. In addition, if fertilizer lands on an impervious surface, it must be swept back onto the grass or cleaned up. For homeowners, the law encourages the use best management practices such as mowing the grass high to shade out weeds and leaving grass clippings on the lawn to provide free fertilizer.

**Q. How can I tell if my lawn care provider is certified and licensed to fertilize my lawn?**

**A.** MDA maintains a list of certified lawn care professionals on its website at [www.mda.maryland.gov/fertilizer](http://www.mda.maryland.gov/fertilizer).

**Q. If my lawn care provider is not permitted to apply certain fertilizer, can I do it myself instead?**

**A.** No, except for the requirement to be certified and licensed, homeowners are subject to the same restrictions as professional lawn care providers. Specifically, the law requires both homeowners and lawn care professionals to obey fertilizer application restrictions, use best management practices when applying fertilizer, observe fertilizer blackout dates and follow University of Maryland recommendations when fertilizing lawns.

**Q. My city/county already has a lawn fertilizer law. Which law do I follow?**

**A.** Maryland's lawn fertilizer law is statewide and supersedes any existing local ordinances.

**Q. Who can I contact for more information or if I have a question or problem?**

**A.** Visit MDA's website at [www.mda.maryland.gov/fertilizer](http://www.mda.maryland.gov/fertilizer) or call the Nutrient Management Program directly at 410-841-5959.

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