

TF(1) 7163/21

Directorate of Agriculture Development
and Farmers Welfare Department
Vikas Bhavan, Thiruvananthapuram
Dated : 01.10.2021

From,

The Additional Director of Agriculture (CP) &
State Licensing Authority.

To,

Sri. Ahammed Riyas,
Managing Director
Spices Producer Company,
Building No. II/ 164,
Kanjirakkad, Rayonpuram.P.O
Perumbavur - 683543
email - spc.rkd@gmail.com, info@spckerala.com

Sir,

Sub :- Spices Producer Company- Request for revoking the Suspension of
Letter of Authorization- Final orders issued – reg.

Ref :- 1) TF (1) 2536/21 dated 19.03.2021 of the State licensing authority and
Additional Director of Agriculture (CP) (Ext.P-11)
2) Request from spices producer company Ltd. dated 27.04.2021 &
07.07.2021 for revoking the suspension (Ext. P12)
3) Request from Spices producer company Ltd. through PAO
Ernakulam Dated 28.04.2021 for amending the letter of
authorization (Ext. P13)
4) Interim Order by the Hon'ble High Court of Kerala on WP(C) No.
19237 of 2021 dated 16.09.2021.
5) Hearing conducted on 28.09.2021 by the state licensing authority.

Based on the violations of Fertilizer Control Order (FCO), 1985 noticed during the inspections conducted in Franchisees of Spices Producer Company Ltd.(SPC) throughout the State, the Letter of Authorization for the wholesale business of fertilizers was suspended until further orders vide reference 1st cited. As per reference 4th cited, it has been directed by the Hon'ble High Court to take a decision on Exhibit P12 & P13 which is your request for withdrawal of suspension and amendment in the letter of authorization. Your license was suspended for the following reasons which amounts to the violation of clauses 7, 12, 13,19, 35 of FCO 1985. It was also intimated that failure to correct the violations mentioned may result in cancellation of the letter of Authorization issued to your firm without further notice.

- Sale of products under FCO, 1985 without license
- Sale of products as fertilizers which does not come under FCO
- Repacking the products of other firms and selling in their own name
- Issue of O forms with products for which license is not given
- Manufacturing micronutrient mixtures without licence
- Manufacture of micronutrient fertilizer grades not notified by State Govt

In the reply furnished by you it is mentioned that you have rectified all the above violations. Based on your reply, inspections were conducted again in the franchisees of SPC and it is seen that the following violations still persist.

- **Sale of products under FCO, 1985 without license** - The following products are sold in your outlets without license
 - Neem Cake
 - Bone Meal
 - Coir pith compost
 - Farm Miracle Nitrogen Rich
 - Farm Miracle Potash Rich
 - Brinjal Organic Fertilizer
 - Cowpea Organic fertilizer
 - Tomato Organic Fertilizer
 - Ladies Finger Organic Fertilizer
 - Spinach Organic Fertilizer
 - Chilly Organic Fertilizer
 - SPC Organic Mix
 - Organic Potash
 - Organic Mix
 - Micro Plus
 - Brand Nitrogen
 - NPK Fertilizer
 - Bio power
- **Sale of products as biostimulants without any label** - SPC has claimed that all products sold by them are bio stimulants except Bio-power. For claiming a product as bio stimulant, it shall be classified under any of the following categories, namely:-
 - (a) botanical extracts, including seaweed extracts;
 - (b) bio-chemicals;
 - (c) protein hydrolysates and amino acids;
 - (d) vitamins;
 - (e) cell free microbial products;
 - (f) antioxidants;
 - (g) anti-transpirants;
 - (h) humic and fulvic acid and their derivatives

None of these category of products of SPC are labelled as "Biostimulants" which comes under Schedule VI of FCO. Instead they are labelled as "Organic" which comes under Schedule IV of the FCO. This is purely intended to mislead the farmers.

- **Manufacture & sale of micronutrient mixtures without licence** - The product micro plus of SPC is labelled as Micro plus Organic. But in the label, it is mentioned that it is a special formulation containing specific micronutrients meant for Cardamom and other plantation crops. Micro plus is a formulation containing Zinc, Magnesium, Manganese, Boron, Ferrous, Copper, Sulphur, Molybdenum etc. All these are micronutrients which come under Fertilizer Control Order and cannot be sold without obtaining Letter of Authorization. Moreover it is not labelled in the bottle as sea weed extract as claimed by you during hearing.
- **Sale of Organic manures of poor quality** - Wholesale Letter of Authorization was issued for the sale of Biopower which is an organic manure manufactured by M/s Esarams Biotech, Tamil Nadu. While conducting inspections in the outlets of SPC, samples of biopower was taken and sent for quality analysis at Biofertilizer & Organic manure quality control laboratory, Pattambi. 4 samples were taken and all 4 samples failed in FCO specification. Moreover the specification of the product is not mentioned in the label, instead the specification notified for Organic Manure in the FCO is seen printed in the bags.
- **Sale of products as Soil Ameliorants** - The products PH booster and Biogreen are claimed as soil ameliorants by your firm and was stated that these products does not come under FCO. On inspection of the label, it is found that PH booster contains Calcium carbonate, Magnesium, Organic potash and Organic carbon. Since PH booster contains products other than Calcium carbonate like Magnesium and Organic potash, this cannot be claimed as a product which does not come under the provisions of FCO. Similarly Biogreen was claimed by SPC as Dolomite (Calcium Magnesium Carbonate). But in the labelling it is not mentioned as a soil ameliorants/Dolomite, instead it is printed as Magnesium and Calcium Carbonate.

These are grave violations of provisions of Fertilizer Control Order, 1985. It is your responsibility to ensure that you have to comply with the provisions of Fertilizer Control Order, 1985 while carrying out the business of all products coming under FCO, 1985. Even after suspending your Letter of Authorization and given ample time for correction, adequate measures have not been taken to rectify the violation pointed out.

An opportunity of hearing was afforded to you on 16.03.2021 and sufficient awareness regarding your violations of FCO 1985 were enumerated and explained to you in order to take steps for rectification. However in the hearing conducted again on 28.09.2021, you were still falsely claiming about the lack of awareness of these rules and that you have not violated any provisions of FCO, 1985. Moreover no efforts were taken by you to rectify the violations pointed out earlier or adhere to the provisions of FCO. It is your sole responsibility to be aware of the rules and regulations and adhere to them at all times while conducting the business.

Under the circumstances mentioned above the Letter of Authorization issued to your firm stands cancelled.

The request for amending the letter of authorization by including the new 'O' form submitted is not admissible as the letter of authorization stands cancelled.

This order is issued in compliance with the direction of the Hon'ble High Court of Kerala vide interim order referred (4) above.

Yours faithfully,

State Licensing Authority &
Additional Director of Agriculture (CP)

GEORGE ALEXANDER MSc. Ag.
Additional Director of Agriculture (CP)
Directorate of Agricultural Development
and Farmer's Welfare Department
Vikas Bhavan, Thiruvananthapuram - 695 033



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