



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

Instructions for Wisconsin's 2016 Pesticide Manufacturer and Labeler License

All pesticide products sold or distributed in Wisconsin must be 1) registered with the U.S. Environmental Protection Agency (EPA), 2) specifically exempted from EPA registration (for example: Section 18's or 25b's), or 3) registered by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) under s. ATCP 29.72 to meet a special local need in Wisconsin (s. ATCP 29.05). In addition no person may sell or distribute any pesticide in Wisconsin without first obtaining an annual license from DATCP and registering each pesticide product (s. ATCP 29.10, s. 94.68, Wis. Stats.). It is the responsibility of the person or firm whose name and address appears on the pesticide product label to obtain this license and register each product.

Please read these instructions thoroughly before completing the forms.

Following is a 2016 Pesticide Manufacturer and Labeler License application packet. At least 15 days prior to selling or distributing a pesticide in Wisconsin, you must submit a completed Wisconsin 2016 Pesticide Manufacturer and Labeler application, a Pesticide Product Listing form and other requested information.

INSTRUCTIONS:

1. Determine the product(s) which will be sold or distributed in Wisconsin during 2016 that bear your firm's name and address on the label(s).
2. Complete the Pesticide Manufacturer & Labeler application and the Pesticide Product Listing and Fee(s) Calculation form. The fees due for your 2016 license will be based on your estimated sales into Wisconsin from October 1, 2015 through September 30, 2016. You will pay an estimated fee at this time and that fee will be reconciled as part of your 2017 license application process.

Estimated fees and surcharges for pesticide products distributed in Wisconsin for 2016, are calculated based on product type (Household, Industrial, Wood Preservative, or Nonhousehold) (see 'Pesticide Definitions' on the backside of the application), and the estimated gross sales into Wisconsin (**from Oct. 1, 2015 to Sept. 30, 2016**).

2016 Pesticide Fee Structure

Gross Sales	Household Pesticide	Industrial Pesticide	Wood Preservatives *	Nonhousehold Pesticide
0 - \$24,999	\$ 265.00	\$ 315.00	\$ 320.00	\$ 322.80
\$25,000 to \$74,999	\$ 750.00	\$ 860.00	\$ 1,030.00	\$ 986.00
\$75,000 or More	\$ 1,500.00	\$ 3,060.00	\$ 3,060.00 + 1.1% of the gross sales	\$ 3,060.00 + 0.80% of the gross sales

*Wood preservative pesticides are products containing pentachlorophenol or coal tar creosote (creosote) only.

Agriculture generates \$88 billion for Wisconsin

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3. A licensee who discontinues distribution of a pesticide must notify the department of the discontinuation at the time of renewals. Wisconsin requires a one (1) year discontinuation, regardless if there is product in the channel of trade or not. Discontinued products brought into Wisconsin’s channel of trade prior to the upcoming renewal year may be sold until supplies are depleted. However, introduction of discontinued products into Wisconsin’s channel of trade on or after the upcoming year requires an ‘Active’ registration.

2016 Discontinuation Fee Structure

Gross Sales	Household Pesticide	Industrial Pesticide	Wood Preservatives *	Nonhousehold Pesticide
\$ 0.00	\$ 265.00	\$ 315.00	\$ 320.00	\$ 322.80

4. Pesticide products that have a different EPA Registration number, different brand name or different manufacturer/labeler name are licensed as separate pesticide products.
5. **PRIMARY PRODUCERS** are required to pay a **\$150** Well Compensation fee. A “Primary Producer” is defined in s. 94.681(1)(e), Wis. Stats., as a person who manufactures an active ingredient that is used to manufacture or produce a pesticide. This fee is required, regardless of whether the active ingredient is brought into Wisconsin.
6. No license is required of persons engaged only in “the sale of pesticides or active ingredients to licensed manufacturers for use as a basic ingredient in the manufacture or formulation of another pesticide or for further processing, packaging or labeling” [s. 94.68(1)(b)].
7. You must submit a copy of the label(s) for all pesticide product(s) being distributed in Wisconsin. Please submit this as a text-searchable pdf document (not scanned copies) on a CD or by email to datcppesticideinfo@wisconsin.gov.

In summary, you must submit the following to the Department:

1. A completed Pesticide Manufacturer & Labeler application.
2. A completed Pesticide Product Listing and Fee(s) Calculation form.
3. One copy (PDF file or email) of a product label for each pesticide distributed in Wisconsin.
4. A check for the total amount due. The check should be payable, in U.S. dollars, to the Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP is acceptable).
5. A completed EXEMPT Pesticide Registration Form (if applicable).

Please submit these materials to:

Mailing address

STATE OF WISCONSIN
 DEPARTMENT OF AGRICULTURE
 TRADE, AND CONSUMER PROTECTION
 BOX 93479
 MILWAUKEE WI 53293-0479

Physical address

WDATCP - LOCK BOX 93479
 C/O US BANK
 777 E WISCONSIN AVE
 MILWAUKEE WI 53202

In return your firm will receive a 'Pesticide Manufacturer & Labeler License'. It authorizes the sale, distribution and shipment in Wisconsin of the pesticide product(s) that are indicated on the Pesticide Product Listing. These products must bear the licensee's name and address on the label, and must be in compliance with all other applicable provisions of state and federal laws. This license is valid through **December 31, 2016**

Licenses may be revoked, suspended, or denied if the licensee fails to comply with applicable laws. Failure to submit the proper fees and information by the dates specified may result in additional monetary penalties as provided by statute and can result in license suspension or revocation.

AFTER YOU RECEIVE YOUR LICENSE: If during the license year you decide to distribute a pesticide product in Wisconsin in addition to those identified, you must notify the Department at least 15 days prior to actual distribution (form ARM-ACM-230). An additional registration fee that is appropriate to the type of pesticide product is required.

Submit any new or amended labeling for any product(s) distributed in Wisconsin as it becomes available. Promptly notify the Department if the name or address of your firm changes.

Please notify the Department promptly, if your firm is involved in a merger, bankruptcy, or other transaction, which could alter its legal status or its activities as a pesticide manufacturer or labeler to determine any effects on the validity of the license or the activities authorized by the license. The Department may not refund a fee or surcharge, after the Department issues a license under s. 94.68 to the person who paid the fee or surcharge, unless the fee or surcharge was not properly charged or collected (s. 94.681(8), Wis. Stats.).

Any questions please contact:

Jean Kohlman, Pesticide Product Registrar
Ph. # 608.224.4536
Fax # 608.224.4656
Email address: jean.kohlman@wisconsin.gov

Website: www.datcp.state.wi.us



Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP)
 Division of Agricultural Resource Management Division
 PO Box 8911
 Madison, WI 53708-8911
 (608) 224-4536

License No. _____

ss. 94.68 and 94.681, Wis. Stats.
 ss. ATCP 29.10 and 29.11

Pesticide Manufacturer and Labeler License Application

For the license period ending December 31, 2016

MAILING ADDRESS (if different than business address)

LEGAL BUSINESS NAME

BUSINESS ADDRESS

BUSINESS CITY/ZIP

IF YOUR ADDRESS HAS CHANGED, MAKE CORRECTIONS TO PRE-PRINTED AREAS

Doing Business As:

EPA Registrant or Subregistrant Number:

Additional Names and Addresses Shown On Labels

Contact Name: _____

Address: _____

City, State Zip: _____

Contact Name: _____

Address: _____

City, State Zip: _____

Please Answer The Following Questions:

1. Does your firm produce any of the active ingredients used in pesticide products? YES NO
2. Does your firm produce any pesticides which are EPA registered as:
"MANUFACTURING USE ONLY" OR "FOR FURTHER FORMULATION ONLY" ? YES NO

PLEASE NOTE: If you answered yes to either question, your firm is classified as a **"PRIMARY PRODUCER"** and subject to an additional \$150.00 fee (well compensation fee).

AFFIRMATION:

I hereby certify that the information submitted on this form and any attached pages are complete and accurate, and I have the authority to sign this application.

Name: _____

Title: _____

E-Mail Address: _____

Phone: _____

Signature: _____

Date: _____

OFFICE USE ONLY

Date Received: _____

Date Issued: _____

WISCONSIN'S PESTICIDE PRODUCT DEFINITIONS

'H' = HOUSEHOLD PESTICIDE means a pesticide that is any of the following:

1. A sanitizer.
2. A disinfectant.
3. A germicide.
4. An insect repellent that is applied to the human body or to clothing.
5. A pesticide that is used exclusively for the treatment of household pets.
6. A pesticide product that is labeled exclusively for household, lawn or garden use if the product is sold in ready-to-use form or is sold exclusively in container sizes of less than one gallon.
7. A solid or liquid pesticide product that is used exclusively for the treatment of swimming pools, spas or hot tubs.

'I' = INDUSTRIAL PESTICIDE means a pesticide that is not a household pesticide and that is one of the following:

1. Solely labeled for use on wood and contains inorganic arsenical wood preservatives.
2. Labeled for use in controlling algae, fungi, bacteria, other microscopic organisms or mollusks in or on one or more of the following and for no other use except for a use described under Household Pesticide (number 6 or number 7).
 - a. Textiles, paper, leather, plastic, vinyl or other synthetic materials, metal or rubber.
 - b. Paints, varnishes, other coating products, lubricants or fuels.
 - c. Commercial, construction, manufacturing or industrial fluids, including adhesives, additives and pigments.
 - d. Commercial, construction, manufacturing or industrial processes, equipment, devices or containers, other than those used in the production or storage of human food or animal feed.
 - e. Air washing, cooling or heat transfer systems.
 - f. Medical equipment.
 - g. Drinking water or wastewater systems.

'W' = INDUSTRIAL WOOD PRESERVATIVE PESTICIDE means a wood preservative solely labeled for use on wood and contains pentachlorophenol or coal tar creosote.

'N' = NONHOUSEHOLD PESTICIDE means a pesticide that is not a household, industrial, or industrial wood preservative pesticide.

NOTE:

If all containers of a given pesticide are labeled with the same brand name, EPA registration number and labeler name; the pesticide is considered a single pesticide product. If container labels bear different brand name, OR EPA registration number, OR labeler name, the pesticide is not considered the same pesticide product and additional license fees are required for each labeled product.

If you distribute a pesticide product into Wisconsin that is not included in your product listing, you must notify the Department at least 15 days prior to distribution or you will be subject to a license fee surcharge of the same amount as the license fee due, in addition to the required license fee per product (s. 94.681(5), Wis. Stats.).

FEES AND SURCHARGES NONREFUNDABLE

The department may not refund a fee or surcharge under this section after the department issues a license to the person who paid the fee or surcharge, unless the fee or surcharge was not properly charged or collected (s. 94.681(8), Wis. Stats.).



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 PO Box 8911
 Madison WI 53708-8911
 (608) 224-4536

License No. _____
 ss. 94.68 and 94.681, Wis. Stats.
 ss. ATCP 29.10 and 29.11

Wisconsin 2016 New Pesticide Product Registration Form

For the registration period ending December 31, 2016

BUSINESS NAME & MAILING ADDRESS

Legal Company Name:	D/B/A
Registration Specialist:	E-Mail Address:
Address:	Phone Number:
City, State, Zip:	EPA Registrant Number:

Pesticide Product Name	EPA Reg. No.	Estimated Sales Into	Type
		WI for 2016	

See backside of [Application](#) for definitions of pesticide types.

See reverse side for registration fees due based on the 'Estimated Sales' (into Wisconsin ONLY for 2016).

Submit labels as text-searchable pdf documents (not scanned copies) on a CD, or by e-mail to:

datcppesticideinfo@wisconsin.gov

Personal information you provide may be used for purposes other than that for which it was originally collected (s. 15.04(1)(m), Wis. Stats.).

OFFICE USE ONLY	Date Received	Date Active
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For **NEW COMPANIES only**: submit this form with a 2016 Pesticide Manufacturer and Labeler License Application

Make check payable to: Wisconsin Department of Agriculture, Trade and Consumer Protection (or WDATCP)

LICENSE AND SURCHARGE FEES: The fees due are based on the product type and the estimated gross sales, into Wisconsin ONLY, predicted from October 1, 2015 to September 30, 2016.

WORKSHEET

<u>Estimated Gross Sales</u>	<u>HOUSEHOLD PESTICIDES</u>		
0-\$24,999	_____ number of products	x \$ 265 = \$	_____
\$25,000-\$74,999	_____ number of products	x \$ 750 = \$	_____
\$75,000 or more	_____ number of products	x \$1500 = \$	_____

<u>Estimated Gross Sales</u>	<u>INDUSTRIAL PESTICIDES</u>		
0-\$24,999	_____ number of products	x \$ 315 = \$	_____
\$25,000-\$74,999	_____ number of products	x \$ 860 = \$	_____
\$75,000 or more	_____ number of products	x \$3060 = \$	_____

<u>Estimated Gross Sales</u>	<u>WOOD PRESERVATIVES</u>		
(Products containing: Pentachlorophenol or Coal Tar Creosote)			
0-\$24,999	_____ number of products	x \$ 320 = \$	_____
\$25,000-\$74,999	_____ number of products	x \$1030 = \$	_____
\$75,000 or more	_____ number of products	x \$3060 = \$	_____ + 1.1% of gross sales = \$ _____

<u>Estimated Gross Sales</u>	<u>NONHOUSEHOLD PESTICIDES</u>		
0-\$24,999	_____ number of products	x \$ 322.80 = \$	_____
\$25,000-\$74,999	_____ number of products	x \$ 986.00 = \$	_____
\$75,000 or more	_____ number of products	x \$3060 = \$	_____ + 0.80% of gross sales = \$ _____

Subtotal = \$ _____

Primary Producer (\$150 if applicable – **Paid Once Annually**) = \$ _____

Total Due = \$ _____

Make check payable to: Wisconsin Department of Agriculture, Trade and Consumer Protection (or WDATCP)
Mail Form & Check to: WDATCP c/o U S Bank of Milwaukee, Box 93479, Milwaukee, WI 53293-0479