



Instructions for Submission of New Pesticide Products to Wisconsin for Registration

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 Minimum Risk Pesticides), or 3) registered by the Wisconsin Department of Agriculture, Trade and Consumer Protection (the Department or WDATCP) under Wis. Admin Code § ATPC 29.72 to meet a special local need in Wisconsin (Wis. Admin Code § ATPC 29.05). In addition, no person may sell or distribute any pesticide in Wisconsin without first obtaining an annual license from WDATCP and registering each pesticide product (Wis. Admin Code § ATPC 29.10, Wis. Stat. § 94.68). 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.

At least 15 days prior to selling or distributing a new pesticide product in the state of Wisconsin, you must submit your product for registration to the Department per Wis. Stat. § 94.68(3). You must also receive approval for registration of your product from the Pesticide Product Registrar prior to selling or distributing the product into Wisconsin. To submit your product for registration with the state, submit a completed Wisconsin Pesticide Manufacturer and Labeler License Application (DARM-BACM-012), a New Pesticide Product Registration Form (DARM-BACM-013) and other required information and payments. For Minimum Risk Pesticide product registration submissions, use the Minimum Risk Pesticide Product Registration Form (DARM-BACM-014) and follow the instructions specific to Minimum Risk Pesticides available on our webpage here: https://datcp.wi.gov/Pages/Licenses_Permits/PesticideManufacturingLabeling.aspx. The instructions that follow are for Section 3 pesticides only (pesticides that are federally registered with the EPA).

INSTRUCTIONS:

1. Determine the new product(s) to be sold or distributed into Wisconsin during the current license year that bear your firm's name and address on the label(s).
2. Pesticide products that have a different EPA Registration number, different brand name or different manufacturer/labeler name must be registered as separate pesticide products.
3. Complete the Wisconsin Pesticide Manufacturer and Labeler License Application (new license or currently unlicensed applicants only) and the New Pesticide Product Registration Form.
4. PRIMARY PRODUCERS are required to pay an annual \$150 Well Compensation fee, per Wis. Stat. § 94.681(4). A "Primary Producer" is defined in Wis. Stat. § 94.681(1)(e) as a person who manufactures an active ingredient that is used to manufacture or produce a pesticide (this includes products labeled "For Manufacturing Use Only", or "For Further Formulation Only"). The Well Compensation fee is required of all Primary Producers, regardless of whether the active ingredient(s) they produce are produced in or distributed into the state of Wisconsin. This fee is charged only once annually, at the time of license renewals. For new product submissions received outside of the renewal period, this fee is only required for Primary Producers that do not currently hold a Wisconsin Pesticide Manufacturer and Labeler License.

5. You must submit a copy of the label(s) for all pesticide products to be distributed in Wisconsin. Please submit labels as text-searchable pdf documents (not scanned copies) via ALSTAR or by email to:

DATCPesticideRegistration@Wisconsin.gov

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” [Wis. Stat. § 94.68(1)(b)]. Additionally, products labeled “For Manufacturing Use Only”, “For Further Formulation Only”, and technical-grade products do not need to be registered, provided that their labels do not allow for end-uses of the product beyond formulation of other pesticide products.
7. Make checks for product registration fees (\$500 per product; Wis. Stat. § 94.681(2)) and the \$150 annual Well Compensation fee (only if applicable per item 4 above) payable to Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP is acceptable).

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

1. A completed Wisconsin Pesticide Manufacturer and Labeler License Application (form DARM-BACM-012; new license or currently unlicensed applicants only).
2. A completed New Pesticide Product Registration Form (form DARM-BACM-013). Multiple products may be listed on the same form.
3. One copy (text-searchable pdf file) of a product label for each pesticide to be registered in Wisconsin.
4. A check payment for the total amount due (\$500 per product submitted, plus annual \$150 Well Compensation fee if applicable). The check should be payable, in U.S. dollars, to the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP is acceptable).

Please submit these materials to:

Mailing address

DATCP
PO BOX 93598
MILWAUKEE, WI 53293-0598

Physical address (services such as FedEx, UPS, etc.)

US BANK CENTER MILWAUKEE
DATCP, ATTN: PO BOX 93598
MK-WI-TCWL
777 E. WISCONSIN AVE.
MILWAUKEE, WI 53202

Your firm will receive confirmation via email from the Pesticide Product Registrar that new pesticide products have been approved for registration. New license applicants will also receive a “Pesticide Manufacturer and Labeler License” certificate via mail. This license authorizes the sale, distribution, shipment, and use in Wisconsin of the pesticide product(s) that were indicated on the submitted New Pesticide Product Registration Form. 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. The license and product registration(s) are valid through **December 31 of the current license year.**

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

Failure to register a pesticide with the Department at least 15 days prior to selling or distributing that pesticide for use in Wisconsin will result in a doubling of the standard registration fee [Wis. Stat. § 94.681(5)].

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 Wis. Stat. § 94.68 to the person who paid the fee or surcharge, unless the fee or surcharge was not properly charged or collected [Wis. Stat. § 94.681(8)].

If you have any questions regarding Wisconsin's pesticide registration requirements, please contact:

Pesticide Product Registrar
(608) 294-0557
DATCPPesticideRegistration@Wisconsin.gov