



State of Wisconsin  
Governor Tony Evers

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## Department of Agriculture, Trade and Consumer Protection

TO: New Commercial Feed Manufacturers, Labelers and Distributors

FROM: Commercial Feed Program, Bureau of Agrichemical Management

SUBJECT: New Commercial Feed License Application

Thank you for your interest in becoming a Wisconsin-licensed commercial feed manufacturer, labeler, and/or distributor.

### Activities Requiring a Wisconsin Commercial Feed License

- Entities in need of a license include:
  - Any manufacturer, labeler, or distributor of commercial feed, moving feed or feed ingredients in or into Wisconsin.
  - Manufacturers or distributors with no established place of business in Wisconsin, who distribute commercial feed into Wisconsin (one license fee covers all out-of-state sites).
  - Labelers with no established place of business in Wisconsin, who distribute commercial feed into Wisconsin (one license fee covers all out-of-state sites).
  - A firm with out-of-state sites and just one in-state site needs one license for all the sites.
  - A firm with out-of-state sites and multiple sites in Wisconsin needs one license fee for all out-of-state sites plus an additional license for each Wisconsin site with manufacturing, labeling, or distribution activity.
- No license is required for entities distributing only:
  - Packaged commercial feed in the original packages of a Wisconsin licensee, with that licensee's original label (this is considered "retail sales");
  - Bulk commercial feed in the form received from a Wisconsin licensee, and as labeled by that licensee (except when comingled with other bulk loads of the same ingredient);
  - Feeds custom-mixed at the request of the final purchaser at retail, using commercial feeds obtained from Wisconsin-licensed suppliers.

*NOTE: If a facility manufactured, distributed, and/or labeled commercial feed before applying for a license, the firm must complete and file a tonnage report and return the required tonnage inspection fees with the license application and license fee.*

### Other Important Things to Know

#### Change in Ownership

A change in ownership requires the new owner to complete and submit a new commercial feed license application and license fees, for a new license number. Note: Feed licenses are non-transferrable. The current licensee is still required to send in a completed tonnage report, accompanied by fees of \$0.25/ton or \$50.00 (whichever is greater), even if sales/distributions totaled zero in 2019. Please be sure to indicate "CANCEL LICENSE" on the license renewal form.

#### Name Changes

If the business name changed, but the ownership has not, a new commercial feed license is required.

#### Tonnage Reporting

Annually, every Wisconsin licensee must file a commercial feed tonnage and inspection fee report. Fees are either \$50.00 or \$0.25 per ton of feed distributed in or into Wisconsin, whichever is greater. A licensee is required to report commercial

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feeds and feed ingredients that it is the first to distribute in or into Wisconsin. If a feedstuff is not considered commercial feed (e.g. hay, unmixed whole corn, etc.), it does not need to be reported. Any commercial feed first distributed in or into Wisconsin by a third party is reportable by that entity, and not the recipient.

*Note:* Electronic version (Microsoft Excel®) of the form is available online:

[https://datcp.wi.gov/Pages/Programs\\_Services/CommercialFeedLicensingFormsandTonnageReporting.aspx](https://datcp.wi.gov/Pages/Programs_Services/CommercialFeedLicensingFormsandTonnageReporting.aspx).

### **Feed and Feed Ingredient Labels**

Submit copies of all feed and feed ingredient labels your firm intends to label and distribute in Wisconsin via hardcopy or email attachment. (Note: At this time, the Department cannot accept any external storage devices such as jump drives, FTP drop boxes, or CD/DVDs.) At renewal each year, please submit copies of all recently added or recently revised feed and feed ingredient labels your firm intends to label and distribute in Wisconsin. Label requirements are outlined in Wis. Stat. §94.72(2) and detailed in the following sections of the Wis. Admin. Code for:

- Commercial feeds, Wis. Admin. Code §ATCP 42 Subchapter III,
- Custom-mixed feeds, Wis. Admin. Code §ATCP 42 Subchapter IV, and
- Dog and cat food and treats, Wis. Admin. Code §ATCP 42 Subchapter V.

### **Inspections**

The Feed Program strives to establish and maintain consumer and manufacturer confidence in animal feeds – livestock feed, pet food, and feed ingredients – through inspections. Inspection points include:

- Confirmation of feed manufacturer, labeler and distributor licensure;
- Assessment of facility housekeeping practices in and around buildings of manufacture and storage;
- Evaluation of recordkeeping procedures to ensure recalls can occur, if necessary; and
- Review of label and labeling content to ensure a feed can be purchased and used safely and effectively by the end-user.

The specific requirements for commercial feed manufacture, labeling and distribution are found in Wisconsin Statute §94.72 and Wisconsin Administrative Code chapter ATCP 42.

### **Sampling**

The Feed Program collects surveillance samples of commercial feed distributed in Wisconsin to assist with protecting the human food chain and animal owners/producers against fraud and deception, and to support a fair and honest feed commerce environment. Samples collected are analyzed in an accredited State laboratory, and the analysis results are compared to nutrient guarantees presented on the feed label. The feed composition is expected to be consistent with the label guarantee. State commercial feed law requires specific guarantees to be present on feed labels that are intended for consumption by specific species of animals. To learn more about the required label guarantees, refer to Wis. Admin. Code §§ATCP 42.12 & 42.14.

### **Contact**

Direct questions regarding licensing or tonnage to (608) 224-4537 or email [datcpfeedlicense@wisconsin.gov](mailto:datcpfeedlicense@wisconsin.gov).

Direct questions related to labels, inspections, or sampling, to (608) 224-4539 or email [datcpfeed@wisconsin.gov](mailto:datcpfeed@wisconsin.gov).



Wisconsin Department of Agriculture,  
Trade and Consumer Protection  
Division of Agricultural Resource Management  
Bureau of Agrichemical Management  
Phone: (608) 224-4537  
http://www.datcp.wi.gov datcpfeedlicense@wisconsin.gov

FOR DATCP USE ONLY	
License Number:	
Date Issued:	
25900 700SE 1150073000 4600000 72000	\$

# New Commercial Feed License Application

for March 1, 2020 to February 28, 2021

(Wis. Stat. § 94.72(5), and Wis. Adm. Code § ATCP 42.02)

\*Attention out-of-state manufacturers and distributors only: Use one form to establish your out-of-state headquarters and a separate form for each Wisconsin manufacturing/distribution site. If you have just one Wisconsin site, only one form is required.

LEGAL BUSINESS NAME AND ADDRESS			MAILING ADDRESS (if different legal address)		
LEGAL BUSINESS NAME			C/O		
STREET ADDRESS			ADDRESS / PO BOX		
CITY	STATE	ZIP	CITY	STATE	ZIP
DOING BUSINESS AS (DBA) NAME			SOCIAL SECURITY NUMBER (ONLY IF SOLE PROPRIETOR - REQUIRED)		

**CHECK ONE:** STATE OF FORMATION (REQUIRED IF NOT SOLE PROPRIETOR)

General Partnership  
  Cooperative  
  Corporation  
  Sole Proprietor  
  LLC  
  Other

**LICENSE REQUIREMENTS:** No person shall manufacture or distribute commercial feed in this state without an annual license from the department. "Manufacture" means to mix, blend, process, package or label commercial feed. A person paid by the final retail purchaser of a mill-formulated feed to provide specifications for that feed is engaged in manufacturing, labeling, or distributing a commercial feed within the meaning of this subsection (e.g. nutritionist). No license shall be required of persons distributing only:

1. Packaged commercial feed in the original container of a licensed manufacturer or distributor, as packaged and labeled by them, and their name and address appear on the label.
2. Bulk commercial feed as received from, and properly labeled by, a licensee.
3. Feeds custom-mixed at retail if commercial feeds used in the mixture obtained from another commercial feed licensee.

**NOTE:** Licenses are non-transferable and fees are non-refundable. Additional business locations may not begin operating during the license year without submitting an additional license application and payment of an additional \$25 fee.

**WISCONSIN SITE INFORMATION: COMPLETE ONE FORM FOR EACH WISCONSIN SITE.**

Complete one form for the principal mailing site as denoted on product labels and each Wisconsin site where feed is manufactured or labeled.

SITE ADDRESS IN WISCONSIN		CITY	STATE	ZIP
WISCONSIN COUNTY	DATE BUSINESS ESTABLISHED AT THIS SITE			

**WISCONSIN SITE INFORMATION: CHECK ALL THAT APPLY IN EACH OF THE SECTIONS BELOW; SEE PAGE 2 FOR EXPLANATIONS.**

OPERATION and/or MANUFACTURING ACTIVITY					TYPE OF FEED MANUFACTURED					
<input type="checkbox"/> B	<input type="checkbox"/> C	<input type="checkbox"/> DS	<input type="checkbox"/> H	<input type="checkbox"/> L	<input type="checkbox"/> BF	<input type="checkbox"/> BN	<input type="checkbox"/> DG	<input type="checkbox"/> DR	<input type="checkbox"/> DY	<input type="checkbox"/> EQ
<input type="checkbox"/> M1	<input type="checkbox"/> M2	<input type="checkbox"/> NC	<input type="checkbox"/> NM	<input type="checkbox"/> O	<input type="checkbox"/> F	<input type="checkbox"/> G	<input type="checkbox"/> LO	<input type="checkbox"/> MN	<input type="checkbox"/> MR	<input type="checkbox"/> MS
<input type="checkbox"/> PR	<input type="checkbox"/> S	<input type="checkbox"/> W			<input type="checkbox"/> PF	<input type="checkbox"/> PY	<input type="checkbox"/> R	<input type="checkbox"/> RB	<input type="checkbox"/> SG	<input type="checkbox"/> SW

<p><b>LICENSE FEE (CHOOSE ONE)</b></p> <p>A. <b>In-State Manufacturers or Distributors:</b> \$25 for each Wisconsin site. Complete one form for each Wisconsin site.</p> <p>B. <b>Out-of-State Manufacturers or Distributors with no Wisconsin site with manufacturing/distributing activity:</b> \$25.</p> <p>C. <b>Out-of-State Manufacturers or Distributors with just one Wisconsin site with manufacturing/distribution activity:</b> \$25.</p> <p>D. <b>Out-of-State Manufacturers or Distributors with Multiple Wisconsin Sites:</b> \$25 for one out-of-state corporate sites AND \$25 for each Wisconsin site with feed manufacturing/distributing activity. <i>Complete one form for each Wisconsin site.</i></p>	<p><b>Total due for this site:</b> \$25 per license.</p> <p>\$</p>
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I certify that all information on this application is true and correct.

NAME (PRINT OR TYPE)	TITLE
BUSINESS PHONE: ( ) -	BUSINESS FAX: ( ) -
EMAIL ADDRESS	COMPANY WEBSITE URL
SIGNATURE	DATE

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

**Make check payable to:** Wisconsin Department of Agriculture, Trade and Consumer Protection

**Mail form and check to:** State of Wisconsin, DATCP, Box 93193, Milwaukee WI 53293-0193

**Errors or omissions will delay the issuance of your license.**

On the front of this Commercial Feed License Application, complete the sections by checking all activities which apply to your Wisconsin site. Listed below are explanations for the selections in each section:

**WISCONSIN OPERATION and/or MANUFACTURING ACTIVITY**

B	Mixing/Blending	A facility that combines by agitation two or more feeds and/or feed ingredients to a specific degree of dispersion; or mingles or combines two or more ingredients of commercial animal feed.
C	Custom Mixing	A facility that manufactures only feeds formulated for specific customers, where the formula was developed either by the customer or a nutritionist employed by the customer.
DS	Distributor	A firm that sells any commercial animal feed to end-consumers.
H	Human food by-product manufacturer	A firm that primarily manufactures human food and distributes and labels unusable or undesirable manufacturing waste as a commercial feed (animal food) ingredient.
L	Labeling	A facility that provides consultation for, designs, adds, changes, or removes labeling of commercial animal feed.
M1	Medicated (non-MFL)	Any facility manufacturing medicated liquid feeds or medicated free-choice feeds using Category I, Type B or Type C drugs.
M2	Medicated (FDA MFL required)	Any feed manufacturer using a: (1) Category II, Type A medicated article to manufacture Type B and/or Type C mediated feeds; or (2) Category II, Type A medicated article and/or Type B or Type C medicated feed to manufacture liquid and/or free-choice medicated feeds; or (3) Category I, Type A medicated article and/or Type B or Type C mediated feed to manufacture liquid and/or free choice medicated feeds with a proprietary formula and/or specifications is to register with FDA as a "drug establishment."
NC	Nutritional Consulting	An entity or a person that provides the service of feed formulation, either when hired by a customer, or when the entity/person is employed by a feed manufacturer.
NM	Non-medicated	Any facility manufacturing non-medicated commercial feed (any feed intended for any animal, production, companion, or otherwise).
O	Main Office	A premise that serves as the administrative center of the business.
PR	Processing	A facility that de-hulls, extracts, extrudes, heat-processes, irradiates, extrudes (kibbles), pearls, polishes, renders, roasts, steams, or processes by other mechanical means, commercial animal feed.
S	Branch	A premise located somewhere other than the firm's main office location, and is still involved in the business activities of the firm.
W	Warehouse	A facility or premise in or at which the commercial animal feed is stored.

**TYPE OF FEED MANUFACTURED**

BF	Beef	Any one, or combination of: feedlot cattle, cattle on pasture, replacement heifer, calf, complete, premix, and/or supplement beef feed(s).
BN	Bison	Any one, or combination of: complete, premix or supplement bison or buffalo feed(s).
DG	Duck/Goose	Any one, or combination of: starter, grower, finisher, breeder developer, breeder, complete, premix, and/or supplement duck or goose feed(s).
DR	Deer and other cervids	Any one, or combination of: complete, premix, or supplement farm/commercially raised deer, <u>not</u> pet deer or wild deer, feeds.
DY	Dairy	Any one, or combination of: starter, grower, lactating dairy, non-lactating dairy, complete, premix, and/or supplement dairy feed(s).
EQ	Equine	Any one, or combination of: foal, mare, breeding, maintenance, complete, premix, and/or supplement horse feed(s).
F	Fish	Any one, or combination of: complete, premix, or supplement farm/commercially raised fish, <u>not</u> pet fish, feeds.
G	Gamebirds	Including premixes or complete feeds for reproduction, maintenance, or growth of pheasants, quail, wild turkeys, migrating waterfowl, pigeons, and exotic birds raised in captivity.
LO	Llamas or other camelids	Including but not limited to premixes or complete feeds for reproduction, maintenance, or growth.
MN	Mineral	Any type of mineral premix or supplement used in or as animal feed.
MR	Milk Replacer	Veal milk replacer, herd milk replacer.
MS	Miscellaneous	Any complete, premix, or supplement animal feed not applicable to any other category listed.
PF	Pet food	Any one, or combination of: dog food, cat food, dog supplement(s), cat supplement(s), dog treat(s), and cat treat(s).
PY	Poultry	Any one, or combination of: chicken or turkey: starter/grower, finisher, layer, breeder, broilers, complete, premix, and/or supplement feed(s).
R	Ratites	Including premixes or complete feeds for reproduction, maintenance, or growth of ratites such as emus and ostriches.
RB	Rabbit	Any one, or combination of: grower, breeder, complete, premix, and/or supplement rabbit feed(s).
SG	Sheep/Goat	Any one, or combination of: starter, grower, finisher, breeder, lactating, complete, premix, and/or supplement sheep or goat feed(s).
SW	Swine	Any one, or combination of: pre-starter, starter, grower, finisher, lactating gilts and sows, boars, complete, premix, and/or supplement swine feed(s).



Wisconsin Department of Agriculture, Trade and Consumer Protection
Division of Agricultural Resource Management
PO Box 8911
Madison WI 53708-8911
Phone: (608) 224-4500

For Office Use Only
License Number:
Date received:

Request for Social Security Number (SSN) (Section 93.135, Wis. Stats.)

PLEASE READ THIS IMPORTANT NOTICE

PLEASE COMPLETE THIS FORM, ATTACH IT TO THE APPLICATION, AND RETURN IT IN THE ENVELOPE PROVIDED OR MAIL IT TO THE ADDRESS LISTED ON THE APPLICATION.

Section 93.135, Wis. Stats., requires the Department to collect the Social Security Number (SSN) of every Sole Proprietor or individual applying for an original license, registration, permit or certificate. This also applies to married couples listed on the same license. Please copy and complete an additional form for a spouse to be included on the license.

This requirement DOES NOT APPLY TO:

- 1. Any of the following which are registered with the Department of Financial Institutions: Limited Partnerships, Limited Liability Partnerships (LLP), Limited Liability Companies (LLC), Corporations or Cooperatives. Please do not substitute a Federal Employer Identification Number (FEIN) for the SSN, even if you are an individual that holds both of these numbers.
2. General Partnerships. However, any licensee operating as a General Partnership must provide a copy of the legal partnership agreement, or page 1 of its most recently filed IRS form 1065, as proof of their exemption from the requirement (return documentation with your application).

Wisconsin Statute s. 93.135 requires the Department to collect the SSN from each applicant who is an individual or a sole proprietor and provide it to the Department of Children and Families. The Department will handle and protect the confidentiality of SSN in accordance with its Security of Personal Information policy

BY LAW, THE DEPARTMENT MAY NOT ISSUE A LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT TO AN INDIVIDUAL OR SOLE PROPRIETOR UNTIL THE APPLICANT PROVIDES HIS OR HER SSN.

1. Individual's Complete Legal Name: First Middle Last

2. Also operating under the following business names (please list if any):

3. Social Security Number (Individuals and Sole Proprietors must provide their SSN) - Do not supply FEIN.

SSN input boxes: [ ][ ][ ] - [ ][ ] - [ ][ ][ ][ ]

NOTE: If this license, permit, certificate, or registration is to be issued to a married couple, each individual must complete a separate form and return it with the application. This form can be photocopied/duplicated. Each individual must complete a separate form.

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.) Social Security Numbers provided are CONFIDENTIAL by law.