

DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION NOTICE OF PROPOSED GUIDANCE DOCUMENTS

Pursuant to section 227.112 of the Wisconsin Statutes, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is hereby accepting comments on the proposed guidance document:

Instructions: Hardcopy Wisconsin Commercial Feed Tonnage and Inspection Fee Report

LOCATION OF PROPOSED GUIDANCE

Proposed guidance document may be reviewed by accessing:

https://datcp.wi.gov/Pages/About_Us/GuidanceDocuments.aspx

SUBMITTING PUBLIC COMMENTS

Public comments on proposed or adopted guidance document may be submitted by accessing:

https://datcp.wi.gov/Pages/About_Us/GuidanceDocuments.aspx

DEADLINE FOR SUBMISSION

The comment period will run no fewer than 21 days after the publication of this document in the Administrative Register.

AGENCY PUBLICATION

The attached guidance document contains statements or interpretations of law under the following applicable provisions of federal law or the applicable state statutory or administrative code provisions: Wis. Stat. ch. 94.72, Wis. Admin. Code, ch. ATCP 42.

CERTIFICATION

Pursuant to the authority delegated to me by the Secretary, I have reviewed the attached guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.



Sara Walling
Administrator
Division of Agricultural Resource Management



Wisconsin Department of Agriculture, Trade and Consumer Protection

Division of Agricultural Resource Management

PO Box 8911, Madison, WI 53708-8911

Phone: 608-224-4539

Fax: 608-224-4656

GUIDANCE DOCUMENT

Instructions: Hardcopy Wisconsin Commercial Feed Tonnage and Inspection Fee Report

This guidance document is based on Wis. Stat. ch. 94.72 and chapter(s) ATCP 42 Wis. Admin. Code. This document is intended solely as guidance, and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed.

12 (ARM)

Step by step instructions for completing the annual Wisconsin Commercial Feed Tonnage and Inspection Fee Report that is printed and mailed in hardcopy to every licensee at the beginning of each renewal season.

Sara Walling - Administrator, Division of Agricultural Resource Management

Click 9/30/09 to enter a date.
DATE

Contributors:

Heather Bartley, Miranda Luoma, Stephanie, Statz, Andrew Dal Santo, Robby Personette

Instructions: Wisconsin Commercial Feed Tonnage and Inspection Fee Report



IMPORTANT: Complete the form and remit the appropriate fees (minimum fee \$50.00 as of 1/1/2018), even if your company distributed zero tons for the calendar year.



Using the Paper Form (Handwritten)

1. Verify the pre-printed entity name, legal address and contact information, or complete the top of page 1 with your company's legal business name and address on the left, and the mailing address/information on the right. (NOTE: In the example used for purposes of these instructions, we will use an in-state facility with two sites.)

LEGAL BUSINESS NAME AND ADDRESS				MAILING ADDRESS (IF DIFFERENT FROM LEGAL ADDRESS)		
LEGAL BUSINESS NAME Madison Feed Company				CITY		
STREET ADDRESS 124 Main St				ADDRESS/PO BOX PO Box 101		
CITY Madison	STATE WI	ZIP 53718	CITY Madison	STATE WI	ZIP 53718	
DOING BUSINESS AS (DBA) NAME Trudy's Feed and Farm Supply				STATE OF FORMATION (REQUIRED IF NOT SOLE PROPRIETOR) Wisconsin		
SELECT YOUR COMPANY'S LEGAL ENTITY TYPE: (Select) LLC						

2. Line 1 captures the tons of commercial feed your company (as a whole) distributed into Wisconsin from out of state facilities. If your company is only located in Wisconsin, please skip to step 3 (Lines 2-10).

Inspection Fee Payment Calculation:		Tons Distributed
Return both pages of this report and the payment to the address below by February 28, 2019.		(Round quantities of 0.01 lb. - 2,000 lb. up to 1 ton)
1.	Total Distributions into Wisconsin from out of state facilities	0 tons

3. Lines 2-10 capture the tons of commercial feed your company distributed from each of its Wisconsin locations, rounded up to the nearest whole number (no decimals). Enter the last six digits (i.e. 31-123456-**123456**) from your Wisconsin commercial feed license number in the first box, and the address/city/zip of the associated company location in the second box. Last, enter the total cumulative tons of commercial feed distributed from the associated company location in the box to the far right.

Inspection Fee Payment Calculation:		Tons Distributed
Return both pages of this report and the payment to the address below by February 28, 2019.		(Round quantities of 0.01 lb. - 2,000 lb. up to 1 ton)
1.	Total Distributions into Wisconsin from out of state facilities	0 tons
2.	-123456 124 Main St, Madison	1,257 tons
3.	-123457 111 W.S Hwy 213, Evansville	245 tons
4.		tons
5.		tons
6.		tons
7.		tons
8.		tons
9.		tons
10.		tons

SCHEDULE B: Last 6 Digits of License # & Location of EACH WI Location

4. **Line 11: Total tons distributed.** Add up the total tons distributed by all facilities, locations in and out of Wisconsin, itemized in Lines 1 – 10. Write the sum in Line 11.

11.	Total Tons of Commercial Feed Distributed (Sum of lines 1 through 10; <i>must equal Combined Total on Schedule A</i>)	1,502	tons
------------	--	-------	------

5. **Schedule A.** Before moving on to Line 12, flip the page over to complete Schedule A on page 2 of the form. Break down the total tons reported in Line 11 on page 1 by the categories available in Schedule A. The “Combined Total of Commercial Feed Distributed” must equal Line 11 in order for you to continue. If the two totals do not match, go back over the entries in each of Schedule A and Lines 1 through 10 on page 1, to balance the quantities.

The categories on the left (the complete feed or premix types) are typically going to be for companies moving feed from another state into Wisconsin. The categories on the right (the ingredient types) are typically going to apply to in-state facilities that buy most of their ingredients from another supplier or manufacturer.

SCHEDULE A					
Product Code	Product Type	Total Tons Distributed	Product Code	Product Type	Total Tons Distributed
11	Broiler Complete		34	Alfalfa Ingredients	50
12	Broiler Premix		35	Animal-based Ingredients	
13	Turkey Complete		36	Barley Ingredients	50
14	Turkey Premix		37	Brewery Ingredients	
15	Layer Starter-Grower Complete		38	Citrus Ingredients	
16	Layer Starter-Grower Premix		39	Corn Ingredients	580
17	Layer Breeder Complete		40	Cottonseed Ingredients	
18	Layer Breeder Premix		41	Distillers Ingredients	
19	Beef Complete		42	Fat & Oil Ingredients	
20	Beef Premix		43	Grain Sorghum Ingredients	
21	Dairy Premix		44	Linseed & Flax Ingredients	
22	Dairy Complete		45	Marine Ingredients	
23	Swine Premix		46	Milk Ingredients	
24	Swine Complete		47	Mineral Ingredients	
25	Sheep Premix		48	Molasses Ingredients	
26	Sheep Complete		49	Oat Ingredients	692
27	Mineral Feed		50	Rye Ingredients	
28	Vitamin Feed		51	Soybean Ingredients	130
29	Horse Feed		52	Vitamin Ingredients	
30	Pet & Specialty Pet Food		53	Wheat Ingredients	
31	Pre-mixes (not specie specific)		55	Poultry Concentrate	
32	Miscellaneous		57	Swine Concentrate	
68	Veal Feed/Calf Feed		58	Cattle Concentrate	
69	Milk Replacers		60	Human Food By-products	
Total Mixed Feed Distributed		0	Total Ingredients Distributed		1,502
Combined Total of Commercial Feed Distributed			1,502		(Must equal Line 11 on Page 1)

6. Line 12: Fee calculation. Depending on the total tons entered in Line 11, your fee calculation will be different. Determine where your total tons falls in the following three options, then use the applicable instructions to continue.

a. 0 (zero) tons. Inspection fees for zero (0) to 200 tons are the minimum fee of \$50.00. Write \$50.00 in Line 12.

12. INSPECTION FEES (\$0.25/ton or \$50.00, whichever is greater)	\$50.00
---	---------

b. 1 to 200 tons. Inspection fees for zero (0) to 200 ton are the minimum fee of \$50.00. Even though only the minimum inspection fees apply, please still complete the itemization of the tons according to the license number, and the feed type (by category on page 2 of the form). Write \$50.00 in Line 12.

12. INSPECTION FEES (\$0.25/ton or \$50.00, whichever is greater)	\$50.00
---	---------

c. Greater than 201 tons. Inspection fees for 201 ton or more are \$0.25 per ton. Multiply the total tons distributed (Line 11) by \$0.25 and write the total fees due in Line 12. In the example used for these instructions, the total distributions of commercial feed in Line 11 equaled 1,502 tons. For Line 12, in this example, the inspection fees due are calculated by taking Line 11 (1,502 tons) and multiplying it by \$0.25, or 1,502 tons * \$0.25 = \$375.50.

12. INSPECTION FEES (\$0.25/ton or \$50.00, whichever is greater)	\$375.50
---	----------

7. Line 13: Late Filing Penalty Fee. Using the anticipated postmark date, select from one of the two options below.

a. Postmarked by February 28/29. If the completed form and payment are postmarked by the last day of February, no late filing penalty fee is due. Enter \$0.00 for Line 13 on the paper form.

13. LATE FILING PENALTY FEE (10% of total inspection fees due or \$10.00, whichever is greater) Submissions postmarked by February 28, 2019 are not subject to late penalties.	\$0.00
---	--------

b. Postmarked March 1 or later. If the completed form and payment are postmarked March 1 or later, a late filing penalty fee of 10% of the inspection fees, or \$10.00 (whichever is greater) is due. Calculate the fees by hand on the paper form (\$375.50 * 10% = \$37.55).

13. LATE FILING PENALTY FEE (10% of total inspection fees due or \$10.00, whichever is greater) Submissions postmarked by February 28, 2019 are not subject to late penalties.	\$37.55
---	---------

8. Line 14: Total Fees Due. Add up the calculated numbers from Line 12 (Inspection Fees) and Line 13 (Late Fees), and write the total in Line 14.

12.	INSPECTION FEES (\$0.25/ton or \$50.00, whichever is greater)	\$375.50
13.	LATE FILING PENALTY FEE (10% of total inspection fees due or \$10.00, whichever is greater) Submissions postmarked by February 28, 2019 are not subject to late penalties.	\$37.55
14.	TOTAL FEES DUE (inspection fees plus penalties)	\$413.05

9. Complete the fields at the bottom of page 1 as appropriate.

I certify that all information on this form is true and correct.

NAME (FIRST, MI, LAST) Trudy Johnson	TITLE Owner
TELEPHONE NUMBER (608) 123-4567	FAX NUMBER (608) 123-4566
EMAIL ADDRESS trudyj@hotmail.com	COMPANY WEBSITE URL
SIGNATURE Trudy Johnson	DATE 2/5/2019

10. Make out a check payable to “Wisconsin Department of Agriculture, Trade and Consumer Protection, and mail it with the completed form to State of Wisconsin DATCP, PO Box 93193, Milwaukee, WI 53293-0193.
- a. Consider sending one check, for the cumulative total of the inspection fees, late penalty fees on inspection fees (if applicable), license fees, and late penalty fees on the license fees (if applicable). It is also acceptable to send two checks – one for the license and late penalty fees on the license fees, and a second check for the inspection fees and late penalty fees on the inspection fees. PLEASE ensure the check(s) are accompanied by the appropriate form for purposes of efficient processing.



IMPORTANT: Late payment or paperwork and incomplete payment or paperwork will delay the issuance of your commercial feed license.

