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
Instructions: Hardcopy Wisconsin Commercial Feed Tonnage and Inspection Fee Report

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.
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.)

   - **Madison Feed Company**
     - 124 Main St
     - PO Box 101
   - **Trudy's Feed and Farm Supply 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).

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.
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.

| Line 11: Total Tons of Commercial Feed Distributed | 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.
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.

   ![Table](attachment:image1.png)

   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.

   ![Table](attachment:image2.png)

   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.

   ![Table](attachment:image3.png)

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.

   ![Table](attachment:image4.png)

   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).

   ![Table](attachment:image5.png)
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.

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| Line 12: Inspection Fees (50.25/ton or $50.00, whichever is greater) | $375.50 |
| Line 13: Late Filing Penalty Fee (10% of total inspection fees due or $10.00, whichever is greater) | $37.55 |
| Line 14: Total Fees Due (Inspection fees plus penalties) | $413.05 |
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9. **Complete the fields at the bottom of page 1 as appropriate.**

```
NAME (FIRST, M, LAST)  Trudy Johnson
TITLE  Owner
PHONE NUMBER  (608) 123-4567
FAX NUMBER  (608) 123-4566
EMAIL ADDRESS  trudyj@hotmail.com
SIGNATURE  Trudy Johnson
DATE  2/5/2019
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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.

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