



# Fuel “Filtering”/“Polishing”

## Information for Businesses & Service Companies

### BUREAU OF WEIGHTS AND MEASURES

PO Box 8911  
Madison, WI 53708  
(608) 224-4942  
datcp.wi.gov

### RESOURCES

Wis. Admin. Code ATCP 94:  
[https://docs.legis.wisconsin.gov/CODE/ADMIN\\_CODE/ATCP/090/94](https://docs.legis.wisconsin.gov/CODE/ADMIN_CODE/ATCP/090/94)

Wis. Stat. 168:  
[docs.legis.wisconsin.gov/statutes/statutes/168](https://docs.legis.wisconsin.gov/statutes/statutes/168)

Contaminated Fuel: Tank Pump Outs fact sheet:  
<https://datcp.wi.gov/Documents/ContaminatedFuel-PumpOuts.pdf>

Some companies are now offering services to “filter” or “polished” off-spec fuel in order for it to be able to be sold. Any fuel that is filtered, polished, or otherwise altered, must be sampled, tested, and approved by the Department of Agriculture, Trade and Consumer Protection (DATCP) prior to retail sale. Fuel cannot be sold or offered for sale until it has passed all required tests, per [Wisconsin Administrative Code § ATCP 94.400\(5\)](#).

Pumps outs of contaminated fuel and fuel blending are not permitted without DATCP supervision. For more information on that, please see our [Contaminated Fuel fact sheet](#).

### Information and requirements for filtered/polished fuel

- No DATCP license is required to filter or polish any petroleum fuel product; however, doing so is entirely at your own risk.
- Fuel must be lab tested to ensure the fuel meets all the specifications required by Wis. Admin. Code ATCP 94 Subchapter II, including octane.
- A DATCP Weights and Measures inspector will collect a sample of the fuel. Fuel samples that have not been collected or witnessed by a DATCP official will not be accepted for testing or approval.
- Fuel sample must pass DATCP Fuel Lab tests. Fuel cannot be sold until it receives passing test results from the DATCP Fuel Lab.
- Third party lab tests. Tests that cannot be performed by the DATCP lab, such as octane testing, must be conducted by a third-party lab. The fuel owner is responsible for any costs associated with third party lab testing.
- If the fuel sample fails DATCP Fuel Lab testing, you will need to obtain passing test results from a third-party lab before requesting any re-sample from the department.
  - Third party lab results must demonstrate that the sample meets the ASTM Specifications associated with that particular product. See Wis. Admin. Code ATCP 94 Subchapter II for specific fuel type requirements.
  - Once 3rd party lab passing results are received, the department must sample, test, and pass the fuel before the product can be sold.

### Prohibited Practices

- Once fuel is found to be off spec, blending fuels in an underground storage tank is a violation of Wis. Admin. Code §§ ATCP 94.400(1) and (2).
- Pumping out suspected contaminated fuel without DATCP supervision is a violation of [Wis. Admin. Code § ATCP 94.100\(8\)\(b\)](#).
- Sale of fuels in Wisconsin that do not meet national fuel quality specifications as required by [Wis. Admin. Code ATCP 94 Subchapter II](#) are prohibited.
- Removing a red tag is a violation of Wis. Admin. Code ATCP 94.

Questions? Please contact us at 608-224-4942, option 4 or  
<mailto:DATCPWMCompliance@Wisconsin.gov>