

# Wisconsin Hemp Pilot Research Program



## Regulatory Resources for Hemp Products

Depending on what you do with the hemp, you may need additional licenses and/or certificates, or have to meet other requirements. This document provides a list of resources of regulatory authorities who can provide more information about how they regulate hemp products. Programs are managed by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), other state agencies, or federal agencies. This list is not all-inclusive. Working with a legal professional can help ensure you are complying with local, state, and federal laws.

### Food

Questions about adding hemp-derived CBD to food, or using hemp microgreens and leaf garnish:

DATCP Division of Food and Recreational Safety

(608) 224-4923

Email: [datcpdfslicensing@wi.gov](mailto:datcpdfslicensing@wi.gov).

Information about the use of hemp-derived products in food is available at <https://datcp.wi.gov/Documents/IndustrialHempProductsHumanFoodIngredients.pdf>.

### Weights and Measures

Information about weights and measures laws:  
DATCP Bureau of Weights and Measures  
(608) 224-4942

Email: [datcpweightsandmeasures@wi.gov](mailto:datcpweightsandmeasures@wi.gov)

Weights and measures information specific to hemp is available in the following fact sheets:

- Product labeling requirements <https://datcp.wi.gov/Documents/ProductLabelingRequirementsFactSheet.pdf>
- Hemp flower and CBD products method of sale and labeling

<https://datcp.wi.gov/Documents/HempFlowerCBDProductsMethodSaleLabeling.pdf>

- Hemp flower retail bulk sales <https://datcp.wi.gov/Documents/HempFlowerRetailBulkSales.pdf>
- Hemp flower scales for packagers <https://datcp.wi.gov/Documents/HempFlowerScalesPackagers.pdf>
- Hemp flower scales for retailers <https://datcp.wi.gov/Documents/HempFlowerScalesRetailers.pdf>

### Consumer Protection Concerns

DATCP's Bureau of Consumer Protection has authority to regulate unfair business practices. You can report unfair business practices to:

Wisconsin Consumer Protection Hotline  
(800) 422-7128 (toll-free)

Email: [datcph hotline@wi.gov](mailto:datcph hotline@wi.gov)

Online:

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

Information about false health claims can be found in this fact sheet at

<https://datcp.wi.gov/Documents/MedicalQuackery204.pdf>. You can also refer to state law ([Wis. Stat. § 100.182](#)) for rules about fraudulent drug advertising.

### Animal Feed

DATCP licenses commercial feed manufacturing and distribution in Wisconsin. Send animal feed questions to:

DATCP's Animal Feed Program  
(608) 224-4539

Email: [datcpfeed@wi.gov](mailto:datcpfeed@wi.gov)

Information about the use of hemp-derived products in animal feed and treats is available at <https://datcp.wi.gov/Documents/Feed-PetFoodInfoInclHemp.pdf>.

### **Sales and Use Tax Permit**

If you or your business needs a Wisconsin sales and use tax permit:

Wisconsin Department of Revenue (DOR)  
Sales and Use Program  
Website:  
<https://www.revenue.wi.gov/Pages/FAQS/pctax-seller.aspx#s1a>  
(608) 266-2776  
Email: [dorbusinessstax@wi.gov](mailto:dorbusinessstax@wi.gov)

### **Alcohol, Tobacco, or Vape-related Permit**

If you or your business needs a Wisconsin alcohol, tobacco, or vape-related permit:

DOR Cigarette, Tobacco, and Vapor Products Program  
Website:  
<https://www.revenue.wi.gov/Pages/Businesses/Tobacco.aspx>,  
Sub-site with additional contact information:  
<https://www.revenue.wi.gov/Pages/FAQS/ise-permitpredeterm.aspx>  
(608) 266-6701  
Email:  
[doralcoholtobaccoenforcement@wi.gov](mailto:doralcoholtobaccoenforcement@wi.gov)

### **Alcohol Beverage Containing Hemp**

For laws regulating alcohol production, importation, and wholesale businesses; tobacco manufacturing and importing businesses; and alcohol labeling and advertising.

U.S. Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB)  
(866) 927-2533  
<https://www.ttb.gov/formulation/hemp-policy>

### **Pesticide Registration**

DATCP regulates manufacturing, sale, and use of pesticides in Wisconsin.

Pesticide products distributed in Wisconsin must:

- Register with the U.S. Environmental Protection Agency (EPA) or have a Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) 25(b) minimum risk exemption
- Have a Wisconsin pesticide manufacturer and labeler license (this registers the product for distribution in the state)

To register a product for use in Wisconsin, visit [https://datcp.wi.gov/Pages/Licenses\\_Permits/PesticideManufacturingLabeling.aspx](https://datcp.wi.gov/Pages/Licenses_Permits/PesticideManufacturingLabeling.aspx).

### **Pesticides for Use on Hemp**

For a list of pesticide products you can use on hemp, visit

[https://datcp.wi.gov/Pages/Programs\\_Services/Hemp.aspx](https://datcp.wi.gov/Pages/Programs_Services/Hemp.aspx). As with any pesticide product, you must follow directions for use on product labels closely and thoroughly. Any violation of directions for use listed on product labels for pesticides registered by the EPA is a violation of law. Use of the listed pesticides in violation of their product labeling, or use of pesticides not included on the list for hemp may result in DATCP investigating for non-compliance with state laws. You can view current labels of registered pesticide products online by searching for the product in the online pesticide registration database at <https://www.kellysolutions.com/wi/pesticideindex.aspx>.

### **Worker Protection Standard (Pesticides)**

DATCP enforces the federal Worker Protection Standard (WPS) in Wisconsin. WPS is a regulation issued by EPA intended to use information, training, and practices to reduce the risk of pesticide exposure for pesticide handlers and other workers producing crops (including hemp) on farms, in forests, in nurseries, and greenhouses. Workers and handlers include employees, self-employed contractors and in some cases, owners. The WPS applies to you if you use a WPS-labeled pesticide product (that contains an “agricultural use requirements” box under “directions for use”) on an “agricultural establishment” directly related to the production of an “agricultural plant.” For more information about WPS and how to comply, visit [https://datcp.wi.gov/Pages/Programs\\_Services/WorkerProtection.aspx](https://datcp.wi.gov/Pages/Programs_Services/WorkerProtection.aspx).

### **Small Business Environmental Assistance Program**

Provides tools that can help small businesses comply with environmental regulations.

Wisconsin Department of Natural Resources (DNR)  
(855) 889-3021

Email: [dnrsmallbusiness@wi.gov](mailto:dnrsmallbusiness@wi.gov)

Website:

<https://dnr.wi.gov/topic/smallbusiness/>

## Seed Labelers License

DATCP licenses seed labelers. The labeling requirement helps assure that consumers receive good quality seed that germinates and does not contain weed seeds.

A seed labeler is any business or person whose name appears on a seed label, or who opens containers of agricultural, lawn, or vegetable seed to sell all or part of it. Complete labeling requirements are listed in state law ([Wis. Admin. Code § ATCP 20](#)).

You do not need a seed label license if you sell:

- Seed grown and sold on your own farm
- Seed in unopened bags or containers labeled by a licensed seed labeler
- Clones

For more information, contact:

Wisconsin Seed Labeling Program

(608) 224-4596

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

## Phytosanitary Certificate for Exporting Hemp

Export requirements vary by product and destination. If you plan on shipping hemp plant material to another U.S. state or to another country, contact

DATCP's Phytosanitary Certificate Program

(608) 224-4596

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

## Importing Hemp into the U.S.

The federal U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) regulates the importation of all plants and seeds for planting to ensure safe agricultural trade. For questions or requests for information regarding importing hemp plants or seeds into the U.S. contact:

USDA APHIS Plant Protection and

Quarantine's Permit Services

(877) 770-5990 (toll-tree)

Email: [plantproducts.permits@usda.gov](mailto:plantproducts.permits@usda.gov)

## Learn More

You can learn more about hemp through these resources:

- DATCP Hemp Pilot Program:  
<https://hemp.wi.gov>
- University of Wisconsin-Madison, Division of Extension: <https://fyi.extension.wisc.edu/hemp/>
- USDA:
  - <https://www.usda.gov/topics/hemp>
  - <https://www.farmers.gov/manage/hemp>
  - Interim final rule: Establishment of a Domestic Hemp Production Program  
<https://www.federalregister.gov/documents/2019/10/31/2019-23749/establishment-of-a-domestic-hemp-production-program>
- U.S. Department of Justice Drug Enforcement Administration (DEA):
  - Interim final rule: Implementation of the Agriculture Improvement Act of 2018  
<https://www.federalregister.gov/documents/2020/08/21/2020-17356/implementation-of-the-agriculture-improvement-act-of-2018>
- U.S. Food and Drug Administration (FDA):
  - <https://www.fda.gov/news-events/public-health-focus/fda-regulation-cannabis-and-cannabis-derived-products-including-cannabidiol-cbd>



### Wisconsin Department of Agriculture, Trade and Consumer Protection

Division of Agricultural Resource  
Management | Bureau of Plant Industry  
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