



# Inspection Authority

## BUREAU OF WEIGHTS & MEASURES

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datcp.wi.gov

## RESOURCES

### Wis. Stat. 93:

<https://docs.legis.wisconsin.gov/document/statutes/93>

### Wis. Stat. 98:

<https://docs.legis.wisconsin.gov/document/statutes/98>

### Wis. Stat. 168:

<https://docs.legis.wisconsin.gov/document/statutes/168>

### Wis. Admin. Code ATCP 92:

[https://docs.legis.wisconsin.gov/code/admin\\_code/atcp/090/92](https://docs.legis.wisconsin.gov/code/admin_code/atcp/090/92)

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is responsible for regularly monitoring and enforcing Wisconsin's weights and measures, fuel quality, and storage tank laws. Wisconsin State Statutes give specific enforcement authority to department inspectors and its authorized agents to perform these duties, including the following:

#### **Authority to access and enter facilities**

DATCP inspectors may enter any place of business or premises which it may be necessary or desirable for them to enter to conduct inspections. (Wis. Stat. § 93.08(1); Wis. Stat. § 98.05(2))

#### **Authority to inspect, sample, and test products**

DATCP inspectors may:

- Inspect and test any commercial weights and measures device, and open any package or product, inspect its contents, and take samples of any product or material as often as necessary to ensure compliance. (Wis. Stat. § 93.08(2); Wis. Stat. § 98.05(2))
- Test a Point-of-Sale price checkout system to verify price accuracy. (Wis. Admin. Code § ATCP 92.06(2); NIST Handbook 130, chapter V, section 7)

#### **Authority to request and receive records**

DATCP inspectors may:

- Require persons engaged in business to provide the department with reports or answers to specific questions, in any matter which the department may investigate. (Wis. Stat. § 93.15(1))
- Have access to and copy any document in the possession of any person engaged in business, if it is relevant to any matter which the department may investigate. (Wis. Stat. § 93.15(2))

Any person who hinders, obstructs or impersonates an inspector may be subject to enforcement action, including fines. (Wis. Stat. § 98.26(1)(a))