

PML FAQ Page

Which products must be registered in the state of Wisconsin?

Per Wis. Stat. § 94.67 (25) a pesticide is “any substance or mixture of substances labeled or designed or intended for use in preventing, destroying, repelling or mitigating any pest, or as a plant regulator, defoliant or desiccant”. Wis. Stat. § 94.68 (1) requires all firms that “manufacture, formulate, package, label, or otherwise produce pesticides for sale or distribution in this state, or sell or offer to sell pesticides to purchasers in this state” to register their products and obtain a Pesticide Manufacturer and Labeler license from the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). This includes products which the EPA considers exempt under FIFRA Section 25(b).

Under Wis. Stat. § 94.68 (1)(b), a license is not required if firms produce or sell **only**: “pesticides or active ingredients to licensed manufacturers for use as a basic ingredient in the manufacture or formulation of another pesticide or for further processing, packaging, or labeling”. This generally exempts most technical grade/manufacturing use pesticides from registration in Wisconsin unless there are uses on the label that allow for direct application.

What are the fees for registering pesticide products in Wisconsin?

Beginning in 2018, all pesticide products are subject to an annual registration fee of \$500 per product, regardless of the amount sold in Wisconsin during the current license year. This fee is the same for both new and renewed products, and for all product types. Products exempted under FIFRA 25(b) are not subject to this registration fee. However, if unregistered 25(b) products are found during routine marketplace inspections, the products will be placed under a holding order and a \$250 penalty will be charged.

Firms that are considered “primary producers” are also subject to a \$150 well-compensation fee, which is due once annually. Wis. Stat. § 94.681 (1)(e) defines a “primary producer” as a firm that “manufactures an active ingredient that is used to manufacture or produce a pesticide”. This fee is typically charged at the time of license renewals and does not need to be paid each time a firm considered a “primary producer” wishes to register a new pesticide product. The exception to this is when a firm considered a “primary producer” that has not previously registered any products in the state of Wisconsin wishes to register a new product. In this case, the \$150 well-compensation fee must be paid along with the new product registration fee.

What is Wisconsin’s pesticide registration cycle?

Our registration cycle is a regular calendar year, with licenses effective from January 1st through December 31st.

🐾 How do I renew my Wisconsin Pesticide Manufacturer and Labeler License?

At the beginning of our renewal season (late September – early October), a Pesticide Manufacturer and Labeler License Application containing a list of actively registered products will be mailed to the address we have on file for your firm. This form will have a checkbox next to each active product for you to elect whether you would like to discontinue that product for the following license year. After the Pesticide Manufacturer and Labeler License Application is completed, it can be returned via mail or email (datcppesticideregistration@Wisconsin.gov) to DATCP for processing. We will then send an invoice containing license renewal fees for the following license year. Payments can be made either by mailed check (see address above) or online by credit card or ACH at <https://mydatcp.wi.gov/Licenses/Payment/AnonymousPayment>. Fees may apply for payments made online. All license renewal fees must be received or postmarked no later than December 31st. **Please plan ahead if you plan to return your Pesticide Manufacturer and Labeler License Application to us via email or mail to allow us time to process the application and send an invoice, as well as allowing yourself time to send payment by the December 31st deadline.** If payment is not received or postmarked by December 31st, additional late fees will apply. Once license renewal fees have been received, a license certificate will be mailed to the address we have on file.

Beginning with the 2019 renewal season (Fall 2018), it will also be possible to complete the Pesticide Manufacturer and Labeler renewal process online. More information will be coming soon for registrants who wish to use this feature.

🐾 What are the fees for renewing a Pesticide Manufacturer and Labeler license after December 31st?

All registrants that have not paid their Pesticide Manufacturer and Labeler license renewal fee prior to the December 31st deadline will be assessed an additional 20% late fee. This late fee amount totals \$100 per product registered with Wisconsin, and applies to both active and discontinued pesticide products.

🐾 How do I register a new pesticide product in Wisconsin?

Our [Pesticide Manufacturer and Labeler webpage](#) contains all of the informational resources necessary for pesticide registration in Wisconsin. Our most current forms can be found under the “Additional Resources” heading on the right-hand side of the page. Please note that the form used for registration of EPA-registered products is separate from the form used for products exempted under FIFRA 25(b). All new product registration applications must contain the following:

1. The current year’s Pesticide Manufacturer and Labeler License Application (**new companies only**)

2. A New Pesticide Product Registration Form or Exempt Pesticide Product Registration Form (multiple products can be listed on the same form)
3. Product registration fee of \$500 per product (with the exception of 25(b)'s)
4. A current version of the pesticide product label must be submitted to DATCP in **text-searchable PDF format only**

How can I submit new or revised pesticide product labels?

We accept labels for new product registrations either via our secured email server (datcppesticideregistration@Wisconsin.gov) or via ALSTAR. Visit <http://npirspublic.ceris.purdue.edu/alstar.html> for more information about this third-party service.

Revised labeling for previously-registered products can also be submitted by either of the above listed methods, or via Kelly Solutions. Visit <http://www.kellysolutions.com/> for more information about this third-party service.

Please note that as of March 2018, DATCP will no longer be able to accept product labels or supplemental materials submitted on compact disc (CD).

How long will it take for my new pesticide product to be registered?

Per Wis. Stat. § 94.68 (3), DATCP must be notified at least 15 days prior to the sale or distribution of a new pesticide product. Processing time of new pesticide product applications is variable depending on workload at different times of the year, but may take up to 2 weeks from the date the application is received. If necessary application elements described above are missing or submitted in a format that DATCP does not accept, processing will be delayed until we receive all of the necessary elements.

Where is my certificate of registration for my new pesticide product?

Wisconsin does not provide certificates of registration for individual products. Rather, a list of all actively registered and discontinued products for the current license year will be sent out after annual renewals are completed, or upon request. Instead of a certificate, a confirmation email will be sent to the registrant of a new pesticide product once the product's registration has been completed. The registration status of products may also be checked on our Kelly Registrations website (www.kellysolutions.com/wi), which is updated weekly.

👤 Does Wisconsin accept applications for new pesticide product registrations online?

At this time, Wisconsin does not have a method to accept new product registrations online. All applications and payments for new products must be submitted as a hard copy. An exception would be registration of products exempted under FIFRA 25(b), which do not have a registration fee. These forms may be submitted via email to datcppestideregistration@Wisconsin.gov.

👤 Where do I send my renewal and new pesticide product registration applications and payments?

For mailings containing correspondence only (no payments), applications or submissions may be sent to:

Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP)
2811 Agriculture Drive
ARM Division – 2nd Floor Attn: Monica Daane
Madison, WI 53718-6777

Do not send payments to the above address, or processing will be delayed

All other mailings with payments included can be submitted to:

WDATCP
Box 093598
Milwaukee, WI 53293-0598

Or, for courier packages requiring a physical address:

WDATCP – Lockbox 093598
c/o US Bank
777 E Wisconsin Avenue
Milwaukee, WI 53202

👤 I would like to discontinue a pesticide product with my annual renewal. Do I need to pay a fee?

Yes, all discontinued products are subject to the same annual \$500 per product fee as new or renewed products. This fee is due **regardless of whether product exists in the channels of trade or not**. Wisconsin does not have a product cancellation policy. All products that have not had their renewal or discontinuation fees paid are considered expired and subject to holding orders and a penalty fee of double the original registration fee where they are found for sale.

If a product had its renewal fee paid during the renewal cycle and is marked as active for the current license year, but you wish to discontinue it after this period has passed, please contact the pesticide product registrar at datcppesticideregistration@Wisconsin.gov or (608) 224-4536.

👤 I have discontinued a pesticide product. What does that mean?

All products marked as discontinued in Wisconsin undergo a one-year discontinuation cycle. This means that these products will not appear on renewal documents for the year following the year they were marked discontinued. After a product is discontinued, stocks **already existing in the state of Wisconsin** may continue to be sold until they are exhausted. No additional product may be brought into the state, however.

👤 The EPA Reg. No. or Brand Name of my product has changed. Do I need to re-register?

Yes, Wisconsin requires that products with changes to brand name or EPA Reg. No. be discontinued under the current brand name/EPA Reg. No. and re-registered under the new brand name/EPA Reg. No.

👤 Does Wisconsin register pesticide devices?

No, Wisconsin does not require registration of pesticide devices.

👤 Do I need to register different colors, scents, sizes, etc. of my pesticide product with the same brand name/EPA Reg. No.?

No, Wisconsin does not require that products of the same brand name and EPA Reg. No. with different colors, scents, or sizes are registered separately. Instead, we request that a statement to the effect of (various colors, scents, sizes, etc.) is made at the end of the product brand name to indicate that different colors, scents, or sizes will be sold. **If products do have different brand names or are registered under a different EPA Reg. No., we do require that these products are registered separately.**

👤 Does Wisconsin require product SDS or EPA-stamped labels to be submitted?

No, Wisconsin does not require the submission of product SDS or EPA-stamped labels. Only a current product label as it appears on product for sale or distribution is required with new product registrations.

👤 Does Wisconsin require 2(ee) recommendations to be submitted?

No, Wisconsin does not require the submission of 2(ee) recommendations.

👤 What is required for a special product registration, including Special Local Needs (FIFRA Sec. 24[c]) registrations and FIFRA Sec. 18 Emergency Exemptions?

Please visit our [Special Pesticide Registrations webpage](#) for more information or contact Alyssa Foss at Alyssa.Foss@Wisconsin.gov or (608) 224-4547.

👤 I have a different question. Who can I contact?

Questions related to pesticide product registrations can be directed to:

Monica Daane
Regulatory Specialist - Agricultural Resource Management Division
Wisconsin Department of Agriculture, Trade and Consumer Protection
(608) 224-4536
Monica.Daane@Wisconsin.gov