

SECTION B – License Information

6. What were the total milk payroll obligations that the applicant incurred during the applicant's last completed fiscal year? (Include amounts paid to individual producers and producer agents.) Estimate if no prior obligations. *See information letter.	\$	
7. Deferred payment contracts [Wis. Stat. §§ 126.40(6m) and 126.485] are written contracts where milk obligations are paid after the normal payment terms as specified under Wis. Stat. § 126.48 (4 th and 19 th of the month).		
a] How much of line 6 above was paid for using deferred payment ? (Please enter zero if question does not apply or Original application.)	\$	
b] How much of line a] above was paid for using deferred payment from the producer or producer agent that has filed a Waiver? See Section C (Please enter zero if question does not apply or Original application.)	\$	
8. Did you have any obligations to producers under deferred payment for milk procured in this state, at any time since the beginning of your last completed fiscal year? (Response should include current fiscal year.)	Yes	No
9. What is the total hundredweight (cwt) of milk procured in question 6? *see information letter. Total pounds procured from producers/producer agents _____ lbs. divided by 100 = cwt		cwt
10. What was the largest total gross amount paid FOR ANY SINGLE MONTH to all individual producers and producer agents during the applicant's last completed fiscal year? (Please use the payroll period with the largest combined gross amount of dollars paid to individual producers and producer agents.) *see information letter		
	PAYROLL PERIOD	TOTAL GROSS PAYROLL
	MONTH / YEAR	FOR LARGEST SINGLE MONTH
MILK	_____	\$ _____
11. What was the highest total during the applicant's last completed fiscal year, of unpaid obligations for producer milk procured in this state under a deferred payment contract, excluding any unpaid obligations under a deferred payment contract with a milk producer or producer agent that has filed a Waiver?		
	PAYROLL PERIOD	LARGEST AMOUNT OF
	MONTH / YEAR	DEFERRED PAYMENT OWED
MILK	_____	\$ _____
12. Mark the box next to <u>EACH</u> producer agent the applicant procured milk through for the last completed fiscal year. Currently recognized producer agents in Wisconsin are:		
<input type="checkbox"/> Clarco Farmers' Cooperative	<input type="checkbox"/> MMPA (Michigan Milk Producers Assoc.)	<input type="checkbox"/> NFO
<input type="checkbox"/> Scenic Central Producers Assoc.	<input type="checkbox"/> Trace Cooperative	<input type="checkbox"/> Other
13. Are you a producer agent?	Yes	No
14. Does the applicant have fire and extended coverage insurance that covers, at its full value, all milk and milk products in its possession, custody and control as required by Wis. Stat. § 126.43(1)?	Yes	No
15. List applicant's fiscal year end date: _____ (month and day)		

SECTION C – Milk Contractor Default Claim Waiver

16. Has the license applicant attached to the application or already filed with WDATCP Agricultural Producer Security Section, a Milk Contractor Default Claim Waiver (Waiver) filed by a producer/producer agent who has greater than 50% ownership in the producer/producer agent and a greater than 50% ownership in the license applicant? If NO, please skip question 17 through 20. If YES, please complete questions 17 through 20 and attach original waiver, or if previously filed, provide a copy of the Waiver.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
17. Date that milk producer or producer agent filed a written waiver under Wis. Stat. § 126.70(1)(c) DATE:		
18. Has there been any change in ownership percentages from the waiver filed with WDATCP? If yes, provide a listing of ownership percentages in producer/producer agent and license holder.		
19. Enter the obligation amount included in question 6 that was procured from a producer/producer agent that has filed a Waiver. (Net amount will be used for determining annual Assessments.)	\$	
20. Enter the hundredweight of milk included in question 18 that was procured from a producer/producer agent that has filed a Waiver. (Net amount will be used for determining the type of Financial Statement to be filed.)		cwt

License holder agrees to indemnify the Wisconsin Agricultural Producer Security Fund (hereafter "Fund") for any and all money paid out of the Fund under Wis. Stat. § 126.71 as a result of a recovery proceeding under Wis. Stat. ch. 126, Subchapter VII conducted against license holder because of license holder's default. License holder also agrees to indemnify any surety for any and all money a surety pays into the Fund as a result of license holder's default and a recovery proceeding under Wis. Stat. ch. 126, Subchapter VII.

***** If any lines in the following section are left blank, this application is invalid. *****

The applicant has authorized the undersigned person to execute this application. All statements contained in this application are true, complete and accurate. The undersigned authorized person fully understands that if any statement contained in this certification is not true, complete, or accurate or is false or misleading, the applicant and the authorized person signing this application may be in violation of Wis. Stat. § 126.50 and subject to the provisions of Wis. Stat. ch. 126, Subchapter VIII. The person signing the application must be listed as an officer for this application.

Signature:	
Type or Print – First Name and Last Name:	Position/Title:

If you have any questions regarding this application, contact Scott Manthey at (608) 224-4966.

Milk Contractor License Fees and Surcharges

Wisconsin Statute Chapter 126, Section 126.41

1. **Annual License Fee:** A nonrefundable license processing fee of \$25, regardless of whether application is made after the beginning of a license year.
2. **Surcharges:**
 - a) A license surcharge of \$500 if the department determines that, within 365 days before submitting the license application, the applicant operated without a license in violation of Wis. Stat. § 126.41(1). The applicant shall also pay any license fees, license surcharges, and fund assessments that are still due for any license year in which the applicant violated Wis. Stat. § 126.41(1).
 - b) A license surcharge of \$100 if during the preceding 12 months the applicant failed to file an annual financial statement required under Wis. Stat. § 126.44(1)(b), by the applicable deadline.
 - c) A license surcharge of \$100 if a renewal applicant fails to renew a license by the license expiration date of April 30.
3. **Monthly License Fee:** Wis. Stat. § 126.42(1), except as provided under Wis. Stat. §§ 126.42(5) or 126.42(6), a milk contractor licensed under Wis. Stat. § 126.41(1), shall pay to the department, by the 25th day of each month, a monthly license fee of 0.15 cent for each 100 pounds of producer milk that the milk contractor procured in this state during the preceding month. The milk contractor shall submit, with the fee payment, a report stating the number of pounds of producer milk that the milk contractor procured in this state during the preceding month.
 - (5) PRODUCER AGENTS; EXEMPTION. A producer agent is not required to pay the monthly fee under Wis. Stat. § 126.42(1), for producer milk that the producer agent markets to a milk contractor who is licensed under Wis. Stat. § 126.41(1), and who pays the monthly fee on the same milk.
 - (6) FEE CHANGES. The department may modify the license fees under Wis. Stat. § 126.42(1), by rule, as provided under Wis. Stat. § 126.81.
4. **Late payment surcharge:** Wis. Stat. § 126.42(2). If a milk contractor fails to pay a monthly fee under Wis. Stat. § 126.42(1), when due, the milk contractor shall pay, in addition to that monthly fee, a surcharge equal to 20% of that monthly fee. The milk contractor shall pay the surcharge by the 25th day of the following month.

You may visit the following websites to see the applicable statutes and rules:

Wis. Stat. ch. 126 - <http://docs.legis.wisconsin.gov/statutes/statutes/126.pdf>

Wis. Admin. Code Ch. ATCP 100 - http://docs.legis.wisconsin.gov/code/admin_code/atcp/090/100.pdf

Producer Security Fund under Dept. of Agriculture, Trade and Consumer Protection - http://datcp.wi.gov/Business/Agricultural_Producer_Security/index.aspx