

Pesticide Manufacturer and Labeler



Frequently Asked Questions

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?

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 from EPA registration under FIFRA Section 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 (mid-late October), a Pesticide Manufacturer and Labeler License Expiration Notice will be mailed to the address we have on file for your firm. This notice will contain instructions for you to either complete your license renewal online at [MyDATCP.wi.gov](#), or to request an application form on paper. During the renewal process, you may select which products your firm would like to renew and/or discontinue for the following license year. After the Pesticide Manufacturer and Labeler License Application is completed, either online or on paper, payment can be submitted to DATCP for application processing. Payments can be made by mailed check or, if the renewal was completed online, you may also pay online in the MyDATCP portal by credit card or ACH transfer. A convenience fee of 2.5% applies for online credit card payments.

All license renewal fees must be received or postmarked no later than December 31st. **If payment is not received or postmarked by December 31st, a late fee will be assessed, please see below for details.** Once the license renewal application has been processed, a license certificate will be mailed to the address we have on file.

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. **New companies only:** The current year’s Pesticide Manufacturer and Labeler License Application (form ARM-ACM-148).
2. A New Pesticide Product Registration Form (ARM-ACM-230) or Exempt Pesticide Product Registration Form (ARM-ACM-246). Multiple products can be listed on the same form and only **one** copy is required.
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 by email (DATCPPesticideRegistration@Wisconsin.gov) or ALSTAR in **text-searchable PDF format only. Indicate on the product registration form the submission method used.**

How can I submit new or revised pesticide product labels?

We accept labels for new product registrations either via our secured email server

(datcppesticideregistration@wiscsconsin.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 DATCP no longer accepts product labels or supplemental materials submitted on 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 20 business days from the date the application and other required materials are 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. Wisconsin **does not** expedite registration of new pesticide products.

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 may be requested. 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 approved. 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 only accepts new product registrations submitted online **during a company’s annual license renewal in the MyDATCP portal.** Outside of the renewal period, all applications and payments for new products must be submitted as a

hard copy by mail. The only exception is for registration of products exempted under FIFRA 25(b), which do not have a registration fee. These forms may be submitted via email to datcppesticideregistration@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: Pesticide Product Registrar
Madison, WI 53718

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

All other mailings with payments included must be submitted to:

WDATCP
Lockbox 93598
Milwaukee, WI 53293-0598

Or, for courier packages (e.g. FedEx, UPS) requiring a physical address:

WDATCP – Lockbox 93598
c/o US Bank
777 E Wisconsin Avenue
Milwaukee, WI 53202

I have a pesticide product that is no longer in the channels of trade. Can I cancel it with my annual license renewal?

Wisconsin is unable to cancel pesticide product registrations. [Wis. Stat. § 94.681 \(6\)](#) requires that all previously registered pesticide products go through a 1-year discontinuation process, **regardless of whether there is product in the channels of trade or not**. All products that have not been renewed or discontinued annually are considered expired and subject to holding orders and a penalty fee of double the original registration fee where they are found for sale.

Discontinued pesticide products in the state of Wisconsin are subject to a one-time \$500 discontinuation fee per product. See below for

additional details on discontinuing a pesticide product in the state of Wisconsin.

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 \$500 per product fee as new or renewed products, with the exception of 25(b)'s. This fee is a one-time charge only. Discontinued products will not appear on license renewal documents in future years.

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 in years 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 depleted. 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 qualify these products with a statement

to the effect of (various colors, scents, sizes, etc.) at the end of the product brand name. Additionally, separate labels for each color, scent, size, etc. are not required to be submitted, unless use instructions vary significantly on the different packaging. **If a product's color, scent, or size is considered part of the product brand name, or if EPA Reg. Nos. differ based on color, scent, size, etc. we do require that these products are registered separately. An example would be weight breakouts for topical pet products.**

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:

Pesticide Product Registrar
(608) 224-4536

datcppesticideregistration@wisconsin.gov

