



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection

Bradley M. Pfaff, Secretary

TO: New Commercial Feed Manufacturers, Labelers and Distributors

FROM: Commercial Feed Program, Bureau of Agrichemical Management

SUBJECT: New Commercial Feed License Application

Thank you for your interest in becoming a Wisconsin-licensed commercial feed manufacturer, labeler, and/or distributor.

Activities Requiring a Wisconsin Commercial Feed License

- Entities in need of a license include:
 - Any manufacturer, labeler, or distributor of commercial feed, moving feed or feed ingredients in or into Wisconsin.
 - Manufacturers or distributors with no established place of business in Wisconsin, who distribute commercial feed into Wisconsin (one license fee covers all out-of-state sites).
 - Labelers with no established place of business in Wisconsin, who distribute commercial feed into Wisconsin (one license fee covers all out-of-state sites).
 - A firm with out-of-state sites and just one in-state site needs one license for all the sites.
 - A firm with out-of-state sites and multiple sites in Wisconsin needs one license fee for all out-of-state sites plus an additional license for each Wisconsin site with manufacturing, labeling, or distribution activity.
- No license is required for entities distributing only:
 - Packaged commercial feed in the original packages of a Wisconsin licensee, with that licensee's original label (this is considered "retail sales");
 - Bulk commercial feed in the form received from a Wisconsin licensee, and as labeled by that licensee;
 - Feeds custom-mixed at the request of the final purchaser at retail, using commercial feeds obtained from Wisconsin-licensed suppliers.

NOTE: If a facility manufactured, distributed, and/or labeled commercial feed before applying for a license, the firm must complete and file a tonnage report and return the required tonnage inspection fees with the license application and license fee.

Other Important Things to Know

Change in Ownership

A change in ownership requires the new owner to complete and submit a new commercial feed license application and the license fees, for a new license number. Note: Feed licenses are non-transferrable. The current licensee is still required to send in a tonnage report with the inspection fees for the previous year's feed tonnage even if sales/distributions totaled zero in 2018. Please be sure to communicate to the Department the license to be cancelled.

Name Changes

If the business name changed, but the ownership has not, a new commercial feed license is required.

Tonnage Reporting

Annually, every Wisconsin licensee must file a commercial feed tonnage and inspection fee report. Fees are either \$50.00 or \$0.25 per ton of feed distributed in or into Wisconsin, whichever is greater. A licensee is required to report commercial feeds and feed ingredients that it is the first to distribute in or into Wisconsin. If a feedstuff is not considered commercial feed (e.g. hay, unmixed whole corn, etc.), it does not need to be reported. Any commercial feed first distributed in or into Wisconsin by a third party is reportable by that entity, and not the recipient.

Agriculture generates \$88 billion for Wisconsin

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NEW in 2018: a Microsoft Excel® version of the tonnage report is available online that will automatically calculate the total tonnage, inspection fees and late fees. Visit https://datcp.wi.gov/Pages/Programs_Services/CommercialFeedLicensingFormsandTonnageReporting.aspx to download the form.

Feed and Feed Ingredient Labels

Submit copies of all feed and feed ingredient labels your firm intends to label and distribute in Wisconsin. At renewal each year, please submit copies of all recently added or recently revised feed and feed ingredient labels your firm intends to label and distribute in Wisconsin. Label requirements are outlined in Wis. Stat. §94.72(2) and detailed in the following sections of the Wis. Admin. Code for:

- Commercial feeds, Wis. Admin. Code §ATCP 42 Subchapter III,
- Custom-mixed feeds, Wis. Admin. Code §ATCP 42 Subchapter IV, and
- Dog and cat food and treats, Wis. Admin. Code §ATCP 42 Subchapter V.

Inspections

The Feed Program strives to establish and maintain consumer and manufacturer confidence in animal feeds – livestock feed, pet food, and feed ingredients – through inspections. Inspection points include:

- Confirmation of feed manufacturer, labeler and distributor licensure;
- Assessment of facility housekeeping practices in and around buildings of manufacture and storage;
- Evaluation of recordkeeping procedures to ensure recalls can occur, if necessary; and
- Review of label and labeling content to ensure a feed can be purchased and used safely and effectively by the end-user.

The specific requirements for commercial feed manufacture, labeling and distribution are found in Wisconsin Statute §94.72 and Wisconsin Administrative Code chapter ATCP 42.

Sampling

The Feed Program collects surveillance samples of commercial feed distributed in Wisconsin to assist with protecting the human food chain and animal owners/producers against fraud and deception, and to support a fair and honest feed commerce environment. Samples collected are analyzed in an accredited State laboratory, and the analysis results are compared to nutrient guarantees presented on the feed label. The feed composition is expected to be consistent with the label guarantee. State commercial feed law requires specific guarantees to be present on feed labels that are intended for consumption by specific species of animals. To learn more about the required label guarantees, refer to Wis. Admin. Code §§ATCP 42.12 & 42.14.

Contact

Direct questions regarding licensing or tonnage to (608) 224-4537 or email datcpfeedlicense@wisconsin.gov.

Direct questions related to labels, inspections, or sampling, to (608) 224-4539 or email datcpfeed@wisconsin.gov.