

2011–2013

# Biennial Report

Wisconsin Department of  
Agriculture, Trade and  
Consumer Protection



October 2013

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This is the biennial report of the Wisconsin Department of Agriculture, Trade and Consumer Protection. It is an overview of the department's organization, programs, and budget.

Section 15.04 of the Wisconsin statutes directs departments and independent agencies to submit biennial reports to the Governor and Legislature. These reports address the operations and goals of the departments and agencies. In the past, biennial reports were one of the few comprehensive sources of information on state administrative agencies. With the advent of the world wide web, detailed supplemental information is now available at any time.

We encourage readers to consult the department's website at [datcp.wi.gov](http://datcp.wi.gov) for more information on specific programs.

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# Introduction

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP or department) has a broad mission. The department works in support of:

- The safety and quality of food.
- Consumer protection.
- Fair business practices for the buyer and the seller.
- Efficient use of agricultural resources in a quality environment.
- Healthy animals and plants.
- The vitality of Wisconsin agriculture and commerce.

The department is primarily a regulatory agency, although it also provides many non-regulatory services. The department is the state-level equivalent of six federal agencies:

- Food and Drug Administration (food safety and labeling).
- Federal Trade Commission (unfair and deceptive business practices).
- Consumer Product Safety Commission (consumer product safety).
- Department of Agriculture (meat inspection, animal and plant health, agricultural marketing, and land and water resources).
- Environmental Protection Agency (pesticides and groundwater).
- Department of Commerce (weights and measures, trade, and commerce).

The department administers laws that the Legislature has enacted and assigned to the department. Most of these laws are found in chapters 88 to 100, 127, 134, 136, and 707 of the Wisconsin Statutes. Under authority granted by the Legislature, the department has adopted rules to implement these laws. Department rules are published under chapters ATCP 1 to ATCP 162 of the Wisconsin administrative code.

In one way or another, the department's jurisdiction extends to nearly every business in the state. The department has broad authority to make rules that have the force of law. The department also licenses approximately 100,000 individuals and businesses.

The department's first aim is to listen well, communicate effectively, and help producers, consumers and businesses solve problems. But DATCP also has substantial enforcement authority should that be necessary. The department may con-

duct hearings and investigations, perform inspections, issue subpoenas, collect and analyze samples, issue compliance orders, and suspend or revoke licenses. In cooperation with a local district attorney or the Department of Justice, the department may also prosecute law violations in court.

## **Boards and Councils**

The Wisconsin Department of Agriculture, Trade and Consumer Protection is a Wisconsin administrative agency. The department is overseen by a nine-member citizen board of private citizens.<sup>1</sup> The board establishes department policy at monthly meetings and approves all department rules. Board members are appointed by the Governor and confirmed by the Senate for six-year terms.

Many other boards and councils are attached to the department. The department appoints various citizen advisory committees to advise the department on major policy issues. These include standing advisory committees as well as temporary advisory committees related to specific issues.

## **Office of the Secretary**

The department is headed by a secretary, who is appointed by the Governor and confirmed by the Senate.<sup>2</sup> The Secretary administers the department with the assistance of an appointed deputy secretary, executive assistant, and administrators for the department's six divisions:

- Agricultural Development
- Animal Health
- Agricultural Resource Management
- Food Safety
- Management Services
- Trade and Consumer Protection

The secretary also appoints the chief counsel, the legislative liaison, and a communications officer.

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<sup>1</sup> [datcp.wi.gov/About/Board\\_of\\_Directors/](http://datcp.wi.gov/About/Board_of_Directors/)

<sup>2</sup> [datcp.wi.gov/About/Secretary/](http://datcp.wi.gov/About/Secretary/)

The Secretary has ultimate responsibility for:

- Managing DATCP staff, programs, budget and operations.
- Appointing the Deputy Secretary, the Executive Assistant, and the division administrators to serve at the pleasure of the Secretary.
- Managing DATCP external relations, including relations with the Legislature and Governor.
- Developing budget, policy and legislative initiatives, subject to DATCP Board approval.
- Adopting, amending and repealing rules, with DATCP Board approval.
- Issuing orders and “contested case” decisions.

The Deputy Secretary exercises all powers and authority of the Secretary when the Secretary is absent, and performs other duties prescribed by the Secretary. The Executive Assistant performs executive duties prescribed by the Secretary.

The Office of Legal Counsel coordinates the department’s wide-ranging legal operations, and provides in-house legal services to the department, the Secretary, and the DATCP Board. The Office of Legal Counsel:

- Guides development of DATCP regulatory and enforcement policies.
- Coordinates DATCP rulemaking and drafts administrative rules.
- Develops and drafts proposed legislation.
- Provides legal support for DATCP programs, including regulatory and enforcement support.
- Provides legal advice and interpretations.
- Litigates administrative cases.
- Assists district attorneys and the Department of Justice in court actions affecting DATCP, and represents DATCP in court as necessary.
- Coordinates case-tracking and case-management.
- Provides legal advice and assistance to the DATCP Board, the Wisconsin Land and Water Conservation Board, and other attached boards and councils.

The Office of the Secretary also includes communications staff; the federal policy advisor, senior policy initiatives advisor, chief data officer, and food and agricultural security coordinator.

## Wisconsin Agricultural Statistics Service

The Wisconsin Agricultural Statistics Service<sup>3</sup> (WASS) is a partnership between the National Agricultural Statistics Service and the department. WASS staff consists of two federal employees (state statistician and NASDA coordinator). The department funds 2.6 FTE WASS positions and provides general support. WASS is located in the department's Madison office.

WASS develops statistics on agricultural production and provides statistical analyses on a broad range of agricultural and non-agricultural issues. The statistics service:

- Estimates Wisconsin agricultural production, inventories, and prices.
- Publishes state and federal agricultural statistics.
- Coordinates statistical services with the U.S. Department of Agriculture.
- Conducts special statistical surveys and analyses.

Data on Wisconsin agriculture is available in the annual Wisconsin Agricultural Statistics Bulletin and other publications.<sup>4</sup>

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<sup>3</sup> [http://www.nass.usda.gov/Statistics\\_by\\_State/Wisconsin/index.asp](http://www.nass.usda.gov/Statistics_by_State/Wisconsin/index.asp)

<sup>4</sup> [http://www.nass.usda.gov/Statistics\\_by\\_State/Wisconsin/Publications/index.asp](http://www.nass.usda.gov/Statistics_by_State/Wisconsin/Publications/index.asp)

# Programs

## Agricultural Development

The Division of Agricultural Development<sup>5</sup> is dedicated to growing Wisconsin agriculture. Production agriculture, food processing, and related businesses contribute \$59 billion each year to the state's economy, and the division helps develop, expand, diversify, and support those businesses. In addition, the division provides financial assistance to county fairs, the World Dairy Expo, and the Agriculture in the Classroom program.

The division is organized into two bureaus:

- Farm Services and Sector Development
- Agricultural Market Development

### *Farm Services and Sector Development Bureau*

The Farm Services and Sector Development Bureau supports the creation and growth of agricultural businesses. The bureau partners with industry groups, the university, and others. Three industry development areas are noteworthy for this report:

- *Dairy Development.* Technical and financial assistance for specialty dairy and cheese production including modernization and diversification, process improvements, and new products. The Dairy 30x20 program was launched during this biennium. It provides grants of up to \$5,000 for farmers needing planning or management assistance to improve the profitability or increase the size of their operation. Grants require a 20% cost share by the farmer.
- *Grazing and Organic Initiative.* Technical assistance to the grazing and organic agriculture sectors, in coordination with the Organic Advisory Council and the Grazing Lands Conservation Initiative.
- *Specialty Meat Initiative.* Marketing and technical assistance for small and medium-sized meat processors, focusing on the heritage and quality of Wisconsin meats.

The Bureau also supports Wisconsin farmers with business planning and other services. The bureau's public face is the Wisconsin Farm Center, which provides personalized services, including information and referrals. It includes a helpline,

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<sup>5</sup> [http://datcp.wi.gov/Programs/Agricultural\\_Development/index.aspx](http://datcp.wi.gov/Programs/Agricultural_Development/index.aspx)



where farmers in need can obtain assistance. Notable services for this report are the following:

- *Farm Mediation and Farmer Assistance Program.* Information and technical assistance for farmers, including financial analysis, legal information, mediation, and counseling. The program is supported by volunteer farm advisors and mediators who mediate debtor-creditor conflicts and a variety of contract issues.
- *Beginning and Transitioning Farmer Program.* Technical and business planning assistance for beginning farmers and established farms transitioning to new ownership. The program works with other organizations to coordinate regional and statewide workshops and provides individualized farm succession planning.
- *Rural Electric Power Services Program.* Assistance for farmers and rural electric power distributors on power line and herd health problems. The program works in cooperation with the Wisconsin Public Service Commission and provides staff assistance to the Rural Energy Management Council.
- *Outreach to Underserved Farmers.* Bureau staff work with underserved minority, women, and beginning farmers to provide risk management education and access to resources.

#### *Agricultural Market Development Bureau*

The Agricultural Market Development Bureau supports Wisconsin agricultural businesses in developing and reaching markets, including local, state, national, and international markets. The bureau's programs are coordinated to provide the greatest support for Wisconsin agricultural businesses, marketing development, and international marketing opportunities. Notable programs include:

- *International Trade Team.* Connecting Wisconsin agricultural products to marketing opportunities around the world, notably in China, Japan, and Mexico.
- *Buy Local, Buy Wisconsin.* Technical and financial support for local foods businesses and promotion of distribution and processing networks. The program connects consumers, food producers, distributors, retailers, and public institutions.
- *Something Special from Wisconsin.* A trademarking program through which participating businesses can identify their Wisconsin products on product labels and promotional materials. Includes a variety of trade shows and special events.
- *SavorWisconsin.com.* An on-line resource for businesses and consumers to find suppliers of local agricultural products.

- *Farm-to-School program.* A federally-funded program to bring locally-grown foods to schools and to create partnerships among farmers, schools, and their communities.
- *Alice in Dairyland.* The spokesperson for Wisconsin agriculture, who promotes agricultural products to audiences of all ages. Each year, Alice generates more than \$1 million in unpaid media coverage on television, radio, and in print.

### *2011–2013 Accomplishments*

In 2004, the State of Wisconsin requested federal partnership assistance to assist with a transitioning dairy sector. Wisconsin's dairy industry was losing market share in milk and cheese. Decreases in milk production, investment and processing indicated negative trends for the future.

The Dairy Business Initiative received \$3.4 million in federal funds to assist Wisconsin's dairy industry to innovate and grow. Since the initiative's launch in 2004, the Wisconsin DATCP dairy development team and DATCP's private non-profit partner, the Dairy Business Innovation Center, has 1) assisted clients by providing access to specialized technical assistance; 2) coordinated projects to increase market share for Wisconsin dairy products; and 3) assisted in the creation of new specialty dairy and cheese products.

Since 2003 Wisconsin milk production has increased from 22.3 billion pounds to over 26 billion pounds. Specialty cheese production totaled 586 million pounds in 2011, up from 302 million pounds of specialty cheese produced in 2003.

Reinvestments into all aspects of Wisconsin's dairy industry continue to occur despite the economic downturn. Dairy producers and processors across the state have reinvested more than one billion dollars (\$1 B) to modernize their operations since 2003.

In the 2011-2013 biennium, the DATCP dairy development team has worked with 140 clients total, including 26 clients on market development and marketing assistance; 22 clients in business feasibility and business planning; 49 clients in production technical assistance and product development; 23 clients in plant expansion; and 20 in financial management and finding funding.

In addition, the Grow Wisconsin Dairy 30x20 Initiative has provided nearly \$390,000 to 83 producers to aid in farm investment planning, farm transfers and dairy profit teams.

About 22% of Wisconsin dairy farmers use managed grazing to provide the bulk of their forage needs. Managed grazing is a low cost means of producing milk and reduces the need for infrastructure investment. A grazing grant program, supported by \$810,480

in federal and state dollars funded 45 education, technical assistance and research grants to help farmers expand and improve the use of managed intensive grazing for those farmers interested in converting to a pasture-based system for dairy and beef production.

The Buy Local, Buy Wisconsin grant and technical assistance programs, the Something Special from Wisconsin branding program, and the SavorWisconsin.com website showcased and supported Wisconsin's locally grown food industry, including: creating an award winning Wisconsin Local Food Marketing Guide; organizing local foods workshops that served 400 participants; providing hands-on technical assistance for more than 30 producers; creating an on-line resource that connected 40,000 consumers each month to 1,800 producers and 200 farmers' markets; and facilitating more than 425 companies use of the Something Special branding program.

The Wisconsin International Trade Team provided technical assistance, led trade missions, hosted buyer delegations and helped Wisconsin companies access federal funds for trade promotion. Wisconsin companies reported that their participation in these international trade programs led to nearly \$150 million in increased sales and the addition of more than 170 jobs during 2011-13.

One hundred seventy-five farmers received direct, one-on-one technical assistance from Wisconsin Farm Center staff over the biennium, including business planning help, financial viability analyses, dispute mediation, farm ownership entry, exit and transition strategies, and veterinary assistance for herd health issues such as stray voltage, nutrition, and milk quality.

### *2013–2015 Goals*

- Assist agricultural business sales by helping companies become export ready and by providing technical assistance in international market development.
- Assist with agricultural business startup and expansion, with a focus on profitability and financial sustainability resulting in job creation.
- Focus dairy development efforts to support the growth and profitability of existing dairy farms with the goal of maintaining and increasing the overall milk supply.
- Promote, foster and develop supply chain components to build and expand regional local food clusters, resulting in an increase in sales and infrastructure investment.
- Show a measurable shift in participating Farm to School program children's attitude toward healthful foods and a measurable shift in participating schools towards a healthier school food environment.

- Increase participation by members in program economic development and marketing driven activities such as tradeshow, social media activities, sponsorships and the Alice In Dairyland Something Special *from* Wisconsin™ holiday campaign
- Increase producer and consumer knowledge to support the growth of the industry
- Foster advisory, leadership, and collaborative relationships between various agriculture sector organizations and institutions of government and education to promote industry growth.
- Help Wisconsin farmers get the information they need` to make decisions which result in an increased percentage of farmers continuing to farm, an increased percentage of farmers who successfully transfer their business, and improved knowledge of risk management tools by minority farmers.

## **Agricultural Resource Management**

The Division of Agricultural Resource Management<sup>6</sup> is responsible for farmland preservation; soil and water conservation; plant industry; and agrichemical management. It is organized into three bureaus:

- Land and Water Resources
- Plant Industry
- Agrichemical Management

### *Land and Water Resources Bureau*

The Land and Water Resources Bureau is responsible for the farmland preservation program, agricultural enterprise areas, purchase of agricultural conservation easements, and soil and water conservation statewide. While these areas are managed locally by counties and local governments—who have staff dedicated to those functions—the bureau plays an important role in overseeing and supporting local administration of these programs. The bureau does not directly administer farmland preservation or soil and water conservation programs locally. Instead, the bureau develops statewide standards and reviews the programs put in place by local governments. The bureau reviews farmland preservation plans and exclusive

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<sup>6</sup> [datcp.wi.gov/Programs/Agricultural\\_Resource\\_Management/](http://datcp.wi.gov/Programs/Agricultural_Resource_Management/)

agricultural zoning ordinances for certification by the department, and land and water resource management plans for approval. The bureau designates agricultural enterprise areas and enters into farmland preservation agreements to protect farmland and encourage agricultural economic development.

The bureau supports implementation of nutrient management and other conservation practices through its water quality and engineering staff located statewide. The bureau also implements the Conservation Reserve Enhancement Program, in cooperation with the U.S. Department of Agriculture and counties.

Local programs are supplemented by financial and technical assistance to landowners and county land conservation committees and departments. The bureau manages those state funds, together with the Department of Natural Resources.

The bureau is also responsible for: 1) administration of statewide standards for siting of livestock facilities; 2) analyzing impacts of road construction and other public projects on farmland; and 3) managing the statewide drainage district program. Located throughout the state, bureau engineers and technicians provide design services, training, and plan review for landowners and others. They also assist the Department of Natural Resources in review of engineering plans as part of the permitting process for concentrated animal feeding operations.

Three boards play a role in the bureau's programs. The Land and Water Conservation Board performs an advisory function, making recommendations regarding resource management plans and the allocation of state funds to implement the nonpoint pollution control program. The Purchase of Agricultural Conservation Easement Advisory Council assists with program development and provides guidance for easement funding. The Livestock Facility Siting Review Board reviews appeals of local decisions involving permit applications for new and expanded livestock facilities.

### *Plant Industry Bureau*

The Plant Industry Bureau works to control pests, diseases and exotic species, which threaten Wisconsin's crops, forests, plant communities, and honeybees. Two current high priority pests are gypsy moth and emerald ash borer, both of which threaten forests and urban trees. The bureau conducts field surveys, imposes quarantines, and applies treatments as needed.

Industry needs to move its products within the state, across state lines, and internationally. To facilitate such trade, the bureau inspects products and certifies them free of diseases and pests. Important products include bee colonies, lumber, nursery stock, and agricultural crops. The bureau also licenses and inspects plant-related businesses, including nursery growers and dealers; Christmas tree growers; and seed labelers.

Finally, the bureau conducts regular pest surveys across the state to evaluate pest pressure on various crops. The bureau publishes a weekly pest survey bulletin to the agricultural community during the growing season.

### *Agrichemical Management Bureau*

The Agrichemical Management Bureau regulates agrichemicals to protect human health, property, and the environment. The bureau regulates chemical storage, handling, use, and disposal. The bureau also directs clean-up of pesticide and fertilizer spills. It administers the Agricultural Chemical Cleanup Program, which partially reimburses individuals and businesses for the costs of cleanup.

Safe storage is important for agrichemicals. The bureau sets standards for the bulk storage of pesticides and fertilizer to support that goal. The bureau also works to ensure that animal feed; fertilizer; pesticides; soil and plant additives; and agricultural lime products are correctly labeled and free from adulteration.

One of the bureau's tools is licensing. The bureau licenses manufacturers and distributors of the regulated products listed above, as well as licensing commercial pesticide application businesses. The bureau also licenses and certifies pesticide applicators, including a required applicator examination.

The bureau is also responsible for carrying out inspections, investigations, and enforcement activities related to its programs. This includes investigation of groundwater contamination by pesticides and fertilizer; complaints of damage or harm to persons, property, or the environment resulting from pesticide misuse or suspected problems with commercial feed or fertilizer products; and toxic response incidents involving livestock.

Finally, the bureau's clean sweep program provides funding and technical support to local governments for the collection and disposal of waste pesticides and household hazardous wastes, including unwanted prescription drugs.

### *2011-2013 Accomplishments*

In 2011, the department was responsible for completing some or all of the engineering work for approximately 500 of the estimated 2,500 conservation practices installed on Wisconsin's farms. While the department's team is small in comparison to county and federal engineering practitioners, its reach is significant, representing 24% of the conservation engineering completed by all private and government practitioners. It is estimated that nearly 1 in 5 of Wisconsin's 10,721 dairy farmers directly use or indirectly benefit from public engineering services.

The livestock facility siting law continues to provide a predictable process for securing a siting permit based on compliance with state requirements. Nearly 70 local governments have zoning and licensing ordinances and issued 87 permits

under these ordinances. Local governments continue to show interest in adopting siting ordinances and other regulations involving livestock.

For 2012 and 2013, the department allocated \$16.4 million to pay for conservation staff in 72 counties, nearly \$10.2 million in grants for counties to provide landowners cost-sharing for conservation practices, and nearly \$1.2 million to educational institutions to provide farmer training and support other activities to implement nutrient management. Through the efforts of department nutrient management specialists, county staff, and cooperator groups, 876 farmers wrote their own nutrient management plans (NMPs) in 2012 on 258,369 acres, accounting for 23% of all NMPs on 13% of Wisconsin's total cropland acres. In the same year, 2,991 farmers hired 275 agronomists to assist them with nutrient management planning on 1,691,487 acres. Agronomists produced 77% of the total plans covering 87% of total acres.

During the 2011-13 biennium, staff in the Agricultural Impact Statement program reviewed 138 public projects affecting farmland. They published twelve agricultural impact statements and two addenda covering potential impacts to 1,348 acres of farmland. The two largest projects were the U.S. Highway 8 Corridor Preservation project between the Hay River and U.S. Highway 53, which affected almost 600 acres of farmland, and the CapX2020 345 kilovolt Transmission Line project from Alma to La Crosse impacting about 270 farmland acres.

During the biennium, the Department certified 13 new county farmland preservation plans and awarded \$392,533 in the second round of planning grants to 14 counties scheduled for plan certifications. Ten farmland preservation ordinances were certified during the period. The Department designated 10 new Agricultural Enterprise Areas (AEA) and modified two existing AEAs during the biennium. Work also began on three new AEAs and modification of an existing AEA that are recommended for designation by the end of 2013. Following the 2013 AEA designations, there will be 25 AEAs statewide covering nearly 750,000 acres. Within the AEAs, 338 farm owners applied during the biennium for farmland preservation agreements on 72,837 acres. Since the law changed in 2009, the Department received a total of 366 applications on 78,597 acres which resulted in the establishment and recording of 327 farmland preservation agreements covering 69,713 total acres. Due to the above programs, over 15,000 farmland owners have been able to collect approximately \$20 million per year in farmland preservation income tax credits paid by the WI Department of Revenue. In return for the tax credits, these claimants ensure compliance with conservation standards on 2.8 million acres of Wisconsin farmland. The Department awarded \$565,107 in Conservation Reserve Enhancement Program (CREP) grants for cost sharing installation of CREP conservation practices and incentive payments for enrollment of 152 new CREP agreements and 10 new CREP easements on 1,480 acres

The department treated 193,924 acres for gypsy moth at 64 sites in 22 counties in 2012 and 145,860 acres at 66 sites in 25 counties in 2013. Trapping surveys in 51 counties in 2012 revealed fewer male moth catches (173,588) compared to a

233,990 male moth catch in 2011. Preliminary survey results for 2013 show an overall increase with many counties showing greater gypsy moth trap catches. The rate of spread was well below the target rate for 2011 and 2012 indicating that the annual treatments are successfully achieving the goal of slowing the spread of the gypsy moth. No new counties were quarantined in 2012 or 2013.

Plant Industry Bureau staff issued 6,779 phytosanitary certificates in 2012, which was a decrease of 2% from 2011. These certificates expedited the export of over \$565,080,018 in plants and plant products, \$223,777,555 of which originated in Wisconsin. The phytosanitary certification program is a cooperative program with the U.S. Department of Agriculture and other states that certifies that shipments of plants and plant products are free of regulated pests. The certificates are required to allow products to move into international or interstate commerce. Demand for phytosanitary permits has remained relatively steady over the biennium due to continued large volume exports of grain, distillers dried grain, and gluten meal. The value of Wisconsin's log and lumber exports doubled in the period 2010-2012, to the extent that forest products accounted for about 30% of all certificates issued in 2012. This trend in exports and demand for phytosanitary certificates is expected to continue: For 2013 bureau staff is on track to issue an estimated 7,000 total certificates.

The department licensed approximately 650 nursery growers, 1060 nursery dealers, and 415 Christmas tree growers annually between 2011 and 2013. This total of 2,125 licenses represents a 5% decline from the previous report. During the biennium, staff inspected approximately 55% of nursery growers, 45% of nursery dealers and an estimated 50% of licensed Christmas tree producers. No new exotic pests were detected on Wisconsin nursery stock.

The Clean Sweep Program awarded \$750,000 each year in grants to local governments. The grants resulted in collection of 2.3 million pounds of waste in 2011 and 3.7 million pounds in 2012. These grants served 50,000 to 70,000 citizens of the state in providing services to properly collect and dispose of agricultural chemicals and household hazardous waste, which included unwanted prescription drugs.

The Agrichemical Management Bureau continues to issue around 13,000 pesticide applicator, fertilizer, soil/plant additive, lime, feed and pesticide manufacturing licenses annually. The bureau also annually registered over 12,000 pesticide products, certified approximately 6,500 pesticide applicators (for a total of nearly 29,000 certified applicators), investigated over 110 pesticide, feed and fertilizer complaints and took over 150 enforcement actions.

The bureau also continued to manage about 150 remediation cases at agrichemical facilities and reimbursed about \$1 to \$1.5 million in clean-up costs to responsible parties each year. The bureau also provided oversight on about 50 agrichemical spills each year.



## 2013–2015 Goals

- Maintain and protect Wisconsin’s agricultural land base and assure the continued growth of agribusiness by expanding the number and scope of Agricultural Enterprise Areas, by completing the modernization of the Farmland Preservation Program, and by assuring conservation compliance by program participants.
- Maintain critical financial and technical support for county conservation staff and for the education and support mechanisms to assist farmers in developing and implementing nutrient management plans.
- Survey and control for plant pests and diseases to ensure the health and profitability of the crop, forestry and nursery sectors of the economy.
- Work with state and federal partners to develop effective strategies to increase engagement of the public in the early detection of exotic plant pests, to minimize their economic, ecological and social impacts on Wisconsin.
- Improve environmental, public health and livestock protection in Wisconsin while allowing for the efficacious and wise use of fertilizer, pesticides and other agrichemical products.
- Evaluate efficiency measures and potentially use technology to streamline internal processes and more efficiently deliver services to the public, our partners and our regulated industries.

## Animal Health

The Division of Animal Health<sup>7</sup> is responsible for the prevention, diagnosis, and control of animal disease. The goal is to prevent losses to the livestock industry and protect human health. The division relies on several tools, including disease surveillance, record keeping requirements, quarantines, and controls on movements of animals within the state and across state lines.

Currently Wisconsin is considered a disease free state for many of the major diseases. To protect Wisconsin’s industry and maintain a healthy livestock population, the division requires that a Certificate of Veterinary Inspection (CVI) accompany all animals imported into this state. A CVI will contain the official identification of the animals being moved, attest to the general health of the animal, and may require that disease testing be completed prior to import.

The division manages many disease programs such as brucellosis herd certification for bovine, swine, farm-raised deer, and goats; tuberculosis herd certification for bovine, farm-raised deer, and goats; pseudorabies herd certification for swine;

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<sup>7</sup> [datcp.wi.gov/Programs/Animal\\_Health/](http://datcp.wi.gov/Programs/Animal_Health/)

brucella ovis-free flock certification for sheep; the chronic wasting disease herd status program for farm-raised deer; and Johne's disease certification for bovine and goats. These herd certifications make it easier for owners to sell and move their animals intra- and interstate.

In addition, the division works closely with other agencies, the public and industry on diseases relating to fish, equine, rabies in all animals, and scrapie in sheep and goats.

The division's field veterinarians routinely meet with private and public veterinarians and members of the slaughter industry statewide to discuss program changes, diseases of concern, and foreign animal disease reporting protocol.

The division administers the livestock premises registration program, which significantly increases the division's ability to respond rapidly to a disease incident. The division also licenses animal markets, animal dealers and animal truckers, feedlots, deer farms and fish farms to assist with disease control and animal traceability. These entities are required to keep records of livestock movement, including official identification of animals.

The ability to trace the movements of diseased and exposed animals is essential to disease control. Epidemiological investigations are completed to determine exposure and trace movement to and from a premises where a disease of concern has been identified. These investigations enable the division to trace disease to its origin and to other potentially infected premises to effectively contain the disease. The ability to rapidly and completely trace the movements of animals, and therefore disease, is essential to contain and eradicate disease threats. This maintains the export market for animals and animal products.

A large component of the division's mission is to provide education and guidance to the public and affected industries. Animal Health provides annual humane officer training, routinely conducts rabies training, and provides expertise and guidance on situations where the humane handling of animals is in question. Additionally, staff routinely present information regarding division programs at the request of industry or local units of government.

The division is in charge of emergency response for all animal diseases, as they may arise. The division manages various animal programs to maintain export markets for Wisconsin livestock and their associated products.

Finally, the division is responsible for the Dog Sellers Program which establishes minimum facilities and care requirements for licensed entities. Entities are required to license if they operate as dog breeders, dog dealers, animal control facilities, or animal shelters that sell or care for at least 25 dogs.

## *2011-2013 Accomplishments*

- The division has responded to numerous potential disease threats over the previous two years, including:
  - The division conducted an investigation into a serological positive for low pathogenic H5 avian influenza on a Wisconsin commercial poultry operation. Division staff tested poultry on 111 premises surrounding the index farm, testing each farm twice, and found no evidence of active virus infection. Japan and China temporarily banned poultry products from Wisconsin due to the serologic positive. Division staff worked with the USDA to remove those trade barriers once the investigation was completed.
  - The division field staff followed up on a pseudorabies positive slaughter sample by testing a representative sample of the swine herd of origin. Test results indicated that all 84 blood samples were negative.
  - The division cooperated with public health officials to deal with the H3N2 variant influenza virus that affected over 20 people in Wisconsin and was associated with exposure to swine at fairs. Going forward the division is working with the Fairs Association to implement strategies for reducing exposure and risk of infection.
- The division worked collaboratively with industry to streamline regulations to be more cost effective and flexible while not putting industry and public health at risk, such as:
  - The division expanded who could become qualified to take samples to be submitted for chronic wasting disease testing beyond certified veterinarians to include farm-raised deer keepers, their immediate family members, and their employees.
  - The division is cooperating with the Wisconsin Pork Producers to implement a Porcine Reproductive Respiratory Virus (PRRS) control program. Nationally, PRRS costs the pork industry \$664 million annually. Comparatively, when pseudorabies was most active it cost the industry \$34 million annually.
  - The division developed an intermediate livestock handling facility for slaughter establishments. The facility must be an off-premises facility, owned or leased by a slaughtering establishment, which is used to unload and temporarily hold animals before the animals are delivered to the slaughtering establishment.
  - The division reduced import requirements for cattle entering Wisconsin from Michigan. This was accomplished by maximizing ani-

mal identification to assure traceability to protect Wisconsin's tuberculosis status, yet allow for increased commerce.

- The division developed Wisconsin's emergency response readiness in the following manner:
  - The division worked with the Wisconsin Department of Public Health and Wisconsin Emergency Management to develop an animal evacuation plan in the event of an emergency. DATCP will be the lead coordinating agency in this important effort which impacts public health because people do not want to evacuate without their pets.
  - The division field veterinarians met with their local county Emergency Management Directors to develop a relationship in the event of a disease emergency in their county.
  - The division staff has been involved in multiple table top exercises with Wisconsin State Patrol to build relationships and to maximize resources and identify capabilities in the event of an animal disease emergency.
  - The division met with the Poultry Emergency Management Committee to assure preparedness for an avian influenza outbreak.
- The division has successfully implemented the dog sellers program. More than 300 entities are licensed and all initial inspections have been completed.
- The division continues to cooperate with the Wisconsin Livestock Identification Consortium (WLIC) to increase animal identification, improve traceability and register and renew livestock premises. The WLIC has started to enter animal identification from brucellosis vaccination records and tuberculosis test records. This will increase the division's ability to trace a diseased animal.
  - The division has over 65,500 livestock premises registered in the state, which will assist with a disease emergency response and protect the health of the \$34 billion livestock industry. In June 2013, rule changes went into effect allowing for an exemption to premises registration for persons with strongly held religious beliefs.

### *2013-2015 Goals*

- The division will continue to efficiently safeguard animal health and the animal agriculture industry. Animal disease is the most important factor that could stop the export of agricultural products. By continuing to pro-

vide education and outreach to the livestock industry through inspections, meetings, and other services, the division will strive to keep Wisconsin free of disease and prepared to respond in the event of a disease outbreak.

- The division will continue to foster relationships with industry, other state and local government units, and the affected public to ensure that the division is prepared to face any disease emergencies that may emerge.
- The division will continue to work locally and nationally to enhance animal traceability.
- The division will continue to develop its information technology infrastructure to serve affected industry and the public. The division will improve its online presence by providing more ways for the public to interact with division programs 24 hours a day by providing online options for obtaining needed licenses, registrations and permits; entering complaints; and purchasing veterinarian supplies.

## **Food Safety**

The Division of Food Safety<sup>8</sup> is the state's primary food regulatory division. It is responsible for the safety and wholesomeness of the state's food supply, from production through processing, packaging, distribution, and retail sale. The division also protects consumers from fraud and misbranding of food products.

The division administers several programs, including food inspection, dairy inspection, Grade A milk certification, and meat and poultry inspection. The division operates a program for grading cheese, butter, and eggs. The division also evaluates and certifies the private laboratories that perform microbiological and drug residue analyses on food, milk, or water. The division, in collaboration with the department's Bureau of Laboratory Services, samples and analyzes foods to ensure food safety and protect consumers.

### *Food Safety and Inspection Bureau*

The division has two bureaus. The Bureau of Food Safety and Inspection licenses and inspects about 10,900 dairy farms and 8,900 other dairy-related businesses, such as dairy plants and bulk milk tankers. The bureau also licenses about 7,200 other food businesses, such as food processors, grocery stores, and warehouses.

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<sup>8</sup> [datcp.wi.gov/Programs/Food\\_Safety/](http://datcp.wi.gov/Programs/Food_Safety/)

The bureau works with local governments to protect food safety. Forty-three cities and counties license and inspect retail food stores as agents for the bureau. These “local agents” must comply with department rules and the Wisconsin administrative code.

### *Meat Safety and Inspection Bureau*

The Bureau of Meat Safety and Inspection administers Wisconsin’s state meat inspection program. The bureau licenses and inspects about 270 meat establishments and 60 custom meat processors, and registers about 250 meat and poultry wholesalers and 30 mobile slaughterers. Wisconsin’s Meat Inspection Program is the largest state meat inspection program in the United States. Under the new federal Cooperative Interstate Shipment program, selected state-inspected meat establishments that are recommended by the Bureau will be eligible to ship their products across state lines.

### *2011–2013 Accomplishments*

- Assisted in trace back epidemiology, public outreach and impact mitigation associated with major food borne illness outbreaks linked to tuna, leafy greens, soft cheeses, and raw (unpasteurized) milk.
- Received a five-year federal grant to facilitate compliance with the US Food and Drug Administration’s Manufactured Food Regulatory Program Standards, and a three-year federal grant to field-deploy ruggedized laptop computers with handwriting-recognition software for use by Food and Dairy Sanitarians.
- Signed a cooperative agreement with the U.S. Department of Agriculture which allowed Wisconsin to participate in the Cooperative Interstate Shipment program. The first state-licensed meat establishment was accepted into the program in June 2013 and began shipping products across state lines later that summer.
- Modernized rules under which retail food establishments operate, and developed rules allowing the state to participate in the Interstate Shellfish Sanitation Conference, thereby allowing Wisconsin firms to process shellfish for interstate shipment.
- Improved the speed and flexibility of communication between Food and Dairy Sanitarians, Specialists, Supervisors, and central-office support staff by deploying smart phones.

### *2013–2015 Goals*

The Division of Food Safety’s main goals are to ensure that the state has a safe and healthy food supply by:

- Providing education, consultation, and regulation to food businesses to assist them in producing safe, high quality food.
- Responding to consumer concerns and information needs.
- Advocating for the food safety needs of the public.

Specifically, the Division aims to improve the quality and breadth of its service by:

- Providing accessible and centralized assistance to new and existing food business operators seeking information on licensing, fees, resources and regulations.
- Meeting all federal food and meat regulatory standards needed for full integration of the Division in a national food safety regulatory system.
- Continuing the implementation of staff training curricula that meet federal program standards and allow the adoption of innovative risk-based inspection techniques.
- Providing inspection services to meat and poultry establishments participating in the new program for the interstate shipment of state-inspected meat and poultry products.
- Fully implementing the new federal electronic Public Health Information System which will incorporate state meat and poultry inspection data into the federal data and risk-management systems within USDA. This system will enhance the risk- and results-based nature of meat establishment inspections.

## **Management Services**

The Division of Management Services provides administrative support to the department. The division's four bureaus manage finance, human resources, information technology and the DATCP food laboratory. The division is also responsible for agency-wide services including geographic information services, records management, graphic design, facilities design, mailing, printing, and fleet.

### *Bureau of Finance*

The Bureau of Finance has overall responsibility for department finances. The bureau prepares the department's biennial budget request in conjunction with the Secretary's Office and other divisions. The bureau prepares formal operating budgets for divisions and works with divisions to monitor those budgets over the course of the year.

The bureau handles procurement and contracting for the agency, working with department legal counsel and managing the purchasing card system. The bureau maintains the department's accounting and financial system, and processes financial transactions, in coordination with the Department of Administration and the State Treasurer. Other responsibilities of the bureau are mailroom operations and department fleet management.

### *Human Resources Bureau*

The Human Resources Bureau helps department managers and staff with recruitment, training, and other human resource needs. The bureau manages the State's employee classification system and assists management staff in exam development and establishing compensation levels. The bureau develops and implements personnel policies, administers collective bargaining agreements and the State Compensation Plan, and helps the department comply with state and federal employment laws. The bureau handles personnel cases and grievances, assisted by department counsel.

The bureau provides support to employees, including administering the employee assistance program, providing reasonable accommodations, assessing employee training needs, and providing department-wide training.

The bureau evaluates overall employment trend, analyzes management and organizational needs, and helps develop long-term workforce plans. Finally, the bureau handles the department's payroll, risk management and employee health and safety functions.

### *Bureau of Information Technology Services*

The Bureau of Information Technology Services is the department's network and computer services organization. The bureau manages the department's internal network by procuring hardware and software, installing equipment, and providing user support. The bureau also provides data communications services for the department's small satellite offices around the state. The bureau also manages the department's internet and intranet services, by which program areas communicate with the public and department staff. The bureau manages the department's databases, which are used by program staff in handling important data for department licensing, inspection, and related functions.

The bureau works closely with program staff, division management, and the Office of the Secretary. In particular, the bureau works with program areas to identify their business requirements that drive the implementation of information technology solutions that improve online access to DATCP public services and streamline the regulatory processes through advance automation.



### *Bureau of Laboratory Services*

The Bureau of Laboratory Services is the State's official laboratory supporting DATCP's regulatory programs. Testing is done in support of several statewide programs that pertain to animal feed, fertilizers, pesticide misuse, agricultural chemical spills, agricultural chemical cleanup, and protection of groundwater from agricultural chemicals, food safety, and enforcement of the Grade A Pasteurized Milk Ordinance.

The laboratory is Wisconsin's regulatory food testing lab supporting interstate shipment of Grade A products by the dairy industry and state inspection of meat plants. The laboratory is the state's emergency response food testing laboratory in chemical contamination or bacterial illness outbreak situations.

The laboratory provides testing to aid in the prevention of contamination of groundwater and surface water from agricultural chemicals and analyzes samples taken in support of the rapid response spills program. The laboratory also provides priority testing as an integral part of the agency's emergency response team.

### *Geographic Information System, Graphics, and Facilities Design*

The division is home to the department's geographic information system (GIS), graphics, and facilities design programs, which support business areas across the department. Staff maintains the GIS infrastructure, manages spatial data, creates maps, performs analyses, and develops web mapping applications. These GIS services support internal decision-making, workload management, and program development, as well as the business needs of external partners and customers. GIS products and applications help convey department information to the public. They also integrate data among state agencies during emergency events.

The graphics designer creates logos, displays, electronic forms, photographs, publications, and other materials for business areas and special projects, such as the Wisconsin State Fair and Farm Technology Days. Working with program specialists and public information officers, the graphics designer also helps ensure that materials intended for the public have a consistent look and feel within programs and across the department.

The facilities designer consults with department managers about space planning and utilization, including requirements, processes and standards. The facilities designer also coordinates logistics associated with moves and setup of remote offices, and promotes activities associated with the U.S. Green Building Council's Leadership in Energy and Environmental Design certification.

## 2011–2013 Accomplishments

- *Bureau of Finance.* Completed the 2013–15 biennial budget submittal, expanded the number of programs that can accept credit card payments, and continued to implement PTAweb time distribution reporting.
- *Bureau of Human Resources.* Updated and revised policies on Overtime Administration, Transfer Opportunities, Career Related Professional Development and Professional Time. Two new polices (Employee Relations Advisory Committee and Ergonomic Assessments) were developed and implemented. Significant revisions were made to the Employee Handbook, including major changes to the Grievance Procedure.
- *Bureau of Laboratory Services.* As part of federal initiatives under the Food Safety Modernization Act (FSMA) the laboratory was awarded a five year grant from the U.S. Food and Drug Administration. The grant was awarded to the laboratory to assist it in maintaining internationally recognized accreditation and to mentor non-accredited state laboratories in achieving their accreditation goals.

The laboratory was designated by the US Department of Agriculture as having achieved equal-to status with federal USDA laboratories. This designation allows the state meat inspection program to utilize the laboratory in the effort to promote and support the interstate shipment of meats by state inspected plants.

- *Bureau of Information Technology.* Upgraded the department's web site to improve access to agency information. Upgraded the department's licensing system.
- *Geographic Information System, Graphics and Facilities Design Staff.* Supported the design, construction and furnishing of the new lab facility; conceptualized, designed and implemented an entirely new DATCP brand for the Wisconsin State Fair by converting a 100' x 60' concrete building into a warm, inviting and educational atmosphere for the Wisconsin public.

## 2013–2015 Goals

- *Bureau of Finance.* Continue to improve the federal grant report and grant matching process. Continue implementation of PTAweb time distribution.
- *Bureau of Human Resources.* Continue training program for managers and supervisors. Review and update health and safety plans. Help managers, supervisors and employees implement the employee evaluation process, and develop new department policies as needed.

- *Bureau of Laboratory Services.* Pending construction completion of the new laboratory facility, transition of laboratory operations from the current facility to the new facility in early 2014; incorporate Six-Sigma initiative on improved laboratory records management into routine laboratory operations.
- *Bureau of Information Technology Services.* Develop a new enterprise-wide system for department licenses, permits, registrations, inspections, and compliance evaluations. Unify agency data storage, include online access for customers, enable use of handheld devices by field staff.
- *Geographic Information System, Graphics and Facilities Design Staff.* Expand the ability of staff, external partners and the public to generate web based maps that integrate data across programs and agencies.

## **Trade and Consumer Protection**

The Division of Trade and Consumer Protection<sup>9</sup> works to ensure fair business practices in Wisconsin markets. The division administers consumer protection laws, maintains the state's official weights and measures system, conducts petroleum tank and fuel quality inspections, administers the producer security law, and inspects, certifies, and grades agricultural commodities.

### *Bureau of Consumer Protection*

The Department of Agriculture, Trade, and Consumer Protection is the State of Wisconsin's lead agency for consumer protection. The Bureau of Consumer Protection has broad statutory and rulemaking authority over transactions between businesses and consumers. These statutes and rules serve as a framework that allows legitimate businesses to flourish and provides consumers with confidence in the marketplace. Our highest priority is fighting fraudulent and deceptive practices that harm consumers and honest businesses.

The bureau administers Wisconsin's laws on deceptive advertising, consumer product safety, and fraud. The cornerstone of the state's general trade regulation and consumer protection effort is the department's broad statutory authority to prohibit and enforce unfair trade practices by rule. One team of consumer protection investigators mediates complaints and tracks trends and emerging consumer issues, while a second team conducts in-depth investigations and works closely with the Department of Justice and District Attorneys to prosecute the most serious violators.

The bureau provides extensive public information. It maintains a statewide consumer protection hotline to receive complaints and questions; issues regular media

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<sup>9</sup> [datcp.wi.gov/Programs/Trade\\_and\\_Consumer\\_Protection/](http://datcp.wi.gov/Programs/Trade_and_Consumer_Protection/)

releases warning of emerging consumer fraud; maintains a website and facebook page; and offers brochures on specific consumer topics. Staff works closely with television, radio, and print media. The bureau also manages the popular no-call program, allowing consumers to reduce unwanted telemarketing calls.

The bureau houses the Office of Privacy Protection, which provides education and information on identity theft; educates local law enforcement on victim assistance techniques; and provides one-on-one assistance to victims of identity theft.

The bureau regulates several specific commercial transactions, including apartment and manufactured home site rentals; automobile repair; door-to-door sales; safety of consumer products; and home improvements.

### *Bureau of Business Trade Practices*

The Bureau of Business Trade Practices promotes fair and open competition in the marketplace through the regulation of predatory pricing practices and discriminatory sale practices. Specifically, the bureau administers the Unfair Sales Act, dairy trade regulations, soda-water regulations, and a public warehouse keeper security program.

The bureau administers the agricultural producer security program. Agricultural producers sell their products to dairy plants, grain elevators, and vegetable processing plants. Producers also store grain in warehouses. The producer security program provides a level of assurance that producers will be paid for their products and that their grain is safeguarded. To protect producers, the bureau monitors the financial condition and business practices of plants and warehouses. The bureau requires evidence of financial viability, including posting of bonds in some cases. The bureau manages the producer security fund, which provides additional protection for producers against default.

The bureau is also responsible for commodity grading and certification. In cooperation with the U.S. Department of Agriculture, the bureau operates programs for grading, inspection, weighing, and certification of grain, fruits, and vegetable products. These programs ensure accurate representation of product quality, condition, size, and compliance with grading standards and export requirements.

### *Bureau of Weights and Measures*

The Bureau of Weights and Measures maintains the state's official weights and measures and petroleum inspection services. Through inspections and other regulatory services, the bureau ensures businesses operate in a fair marketplace and consumers receive the correct amount of product.

The bureau's metrology laboratory helps private weights and measures companies correctly calibrate their equipment. The bureau performs inspections of a wide

range of devices statewide, including gasoline pumps, scales, and store checkout scanners, to ensure accuracy for consumers and businesses.

The bureau also administers fuel quality standards, inspects and permits tank systems that contain petroleum and other hazardous and flammable liquids, and provides certification examinations and credentials for tank installers, inspectors, removers, testers and site assessors.

### *2011–2013 Accomplishments*

- The Bureau of Consumer Protection handled over 80,000 complaints and inquiries from consumers and businesses in 2012. Consumer Protection investigators responded to 98% of formal complaints within 14 days.
- The Bureau of Consumer Protection issued 1509 warning letters and 301 cease and desist no-call letters, received 215 voluntary assurances, and collected \$21,927 in civil forfeitures in 2012. In addition, 2146 businesses made adjustments for consumers as a result of the division's mediation.
- In June 2013, Wisconsin's No Call list had 2.0 million registrants. Cell phones made up approximately 56 percent of the list.
- In 2012, Weights and Measures staff inspected about 42,000 devices, 152,000 packages, and nearly 7,000 business locations to ensure a fair marketplace. Consumer confidence was 99.8% for retail scales, 99.5% for gas pumps, and 98.7% for price accuracy.
- In 2012, the Bureau of Consumer Protection distributed over 68,000 educational materials. Some of the most popular topics included telemarketing (no-call), landlord-tenant rights and responsibilities, telecommunications, home improvement and identity theft.
- The Bureau of Business Trade Practices overhauled its process for auditing licensed grain dealers and warehouse keepers. The new systems allows resources to be focused on licensees that pose the most risk to both producers and the Producer Security fund for non-payment or misappropriating grain.
- During calendar years 2011 and 2012, the Bureau of Business Trade Practices successfully resolved more than 800 complaints of alleged violations of the Unfair Sales act.
- The Division began a systematic process to review its 37 administrative rules to ensure they are relevant to today's marketplace. This process will continue in the 2013-2015 biennium.
- Overall, the Division of Trade and Consumer Protection returned \$2,318,842.90 more than taxpayers paid into the program in, 2012.

### *2013– 2015 Goals*

- The goals of the Division of Trade and Consumer Protection are to ensure fair business practices in the marketplace for consumers and business; to educate and empower stakeholders through outreach and educational efforts; and to improve management and performance.
- The Bureau of Consumer Protection will focus on preventing and reducing fraudulent, unfair and deceptive practices in the marketplace and ensuring fair competition. The Business Trade Practices Bureau goals include protecting milk, grain, and vegetable producers from financial default by licensed operators; encouraging good business practices by licensees and producers; and improving productivity, accountability, and transparency by measuring performance.
- The newly created Bureau of Weights and Measures goals are to implement the transfer of the petroleum inspections and fuel quality testing authority to DATCP, including integrating these activities with the traditional weights and measures programs, cross-training staff and building a new fuel quality testing laboratory. In addition, the Bureau will focus on maintaining existing regulatory programs that help ensure businesses operate and consumers purchase products in a fair and accurate marketplace.

## Appendix—Budget and Staffing

The Department of Agriculture, Trade and Consumer Protection has a complex budget for its size. Because the department administers a wide range of programs with diverse fund sources, the department has a relatively large number of appropriations and statutory funds.

In fiscal years 2011–12 and 2012–13, the department had overall expenditure and position authority as shown in Table 1.

**Table 1. Expenditure and position authority**

*Department of Agriculture, Trade and Consumer Protection expenditure and position authority by fiscal year and fund source, 2011–13 biennium. (Source: State budget system.)*

	2011–12		2012–13		2012–13 Percentages	
	\$	FTE	\$	FTE	\$ %	FTE %
GPR	\$26,612,300	207.0	\$28,600,400	211.0	28%	36%
PR	16,401,700	161.5	16,491,400	161.5	16%	27%
PR-S	6,682,800	36.4	6,709,000	36.4	6%	6%
FED	21,129,300	82.6	21,188,800	85.6	20%	15%
SEG	29,922,000	97.3	30,553,400	97.3	30%	16%
	<b>\$100,748,100</b>	<b>584.8</b>	<b>\$103,543,000</b>	<b>591.8</b>		

Less than one third of the department’s expenditure authority and only 36% of its position authority is from GPR funding.

About 24% of the department’s budget is used for local assistance and aids to individuals and organizations; in other words, for grants to individuals, businesses, and local governments. The remainder is used for state operations, including salary and fringe benefits, rent, equipment, and supplies, as shown in Table 2.

**Table 2. Expenditure authority by use**

*Department of Agriculture, Trade and Consumer Protection expenditure authority for fiscal year 2012–13, by use. (Source: State budget system.)*

	2012–13	%
State Operations	\$79,339,000	76%
Aids to Individuals & Organizations	12,002,100	12%
Local Assistance	12,201,900	12%
	<b>\$103,543,000</b>	

The department’s position authority is concentrated in the divisions of food safety; trade and consumer protection; and agricultural resource management, as shown in Table 3.

**Table 3. Position authority by program**

*Department of Agriculture, Trade and Consumer Protection position authority by program. (Source: State budget system.)*

	FTE	%
Food Safety	194.9	33%
Trade and Consumer Protection	114.6	19%
Agricultural Resource Management	104.0	17%
Management Services & Secretary’s Office	58.8	10%
Animal Health	45.0	8%
Agricultural Development	29.95	5%
Management Services-Laboratory	25.0	4%
Management Services-Federal Funds	16.5	3%
Wisconsin Agricultural Statistics Service	3.0	1%
	<b>591.8</b>	

Table 3 shows authorized full-time equivalent positions. Some authorized positions are divided into two or more part-time positions, so the department's functional position count is generally around 600 positions. For budgetary reasons, the department—like other agencies—maintained a relatively high vacancy rate during the 2011–2013 biennium. The vacancy rate varied, but was generally between ten to fifteen percent during the biennium.



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