

2015–2017

Biennial Report

Wisconsin Department of
Agriculture, Trade and
Consumer Protection



October 2017

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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 internet, detailed supplemental information is now available at any time.

We encourage readers to consult the department's website at datcp.wi.gov for more information on specific programs.

Introduction

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP or department) partners with all the citizens of Wisconsin to grow the economy by promoting quality food, healthy plants and animals, sound use of land and water resources, and a fair marketplace.

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 reaches nearly every business in the state. The department licenses approximately 125,000 individuals and businesses.

The department's first aim is to listen well, communicate effectively, and help producers, consumers and businesses solve problems. If needed, DATCP does have substantial enforcement authority. The department may conduct 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

DATCP is a Wisconsin administrative agency. The department is overseen by a nine-member citizen board of private citizens.¹ The board establishes department policy at scheduled 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, including the Wisconsin Veterinary Examining Board², transferred in the 2015-17 budget from the Department of Safety and Professional Services. 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.³ The Secretary administers the department with the assistance of an appointed deputy secretary, assistant deputy secretary, and administrators for the department's six divisions:

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

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

The Secretary has ultimate responsibility for:

- Managing DATCP staff, programs, budget and operations
- Managing DATCP external relations, including relations with the Legislature and Governor.
- Developing budget, policy and legislative initiatives
- Adopting, amending and repealing rules, with DATCP Board approval
- Issuing orders and “contested case” decisions

¹ datcp.wi.gov/About/Board_Members/Board_Meeting_Agendas_and_Reports/index.aspx

² datcp.wi.gov/Pages/About_Us/VeterinaryExaminingBoard.aspx

³ datcp.wi.gov/About/Leadership.aspx

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 assistant deputy secretary performs executive duties prescribed by the Secretary.

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

- Coordinates DATCP rulemaking and assists with drafting administrative rules
- 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 and policy advisors.

Wisconsin Agricultural Statistics Service

The Wisconsin Agricultural Statistics Service⁴ (WASS) is a partnership between the National Agricultural Statistics Service and the department. WASS staff consists of two federal employees: a state statistician and a coordinator from the National Association of State Departments of Agriculture (NASDA). The coordinator is responsible for training and supervising the NASDA enumerators and overseeing the data collection in the state. The department funds 1.8 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 issues. The statistics service:

- Estimates Wisconsin agricultural production, inventories, and prices
- Publishes state and federal agricultural statistics

⁴ www.nass.usda.gov/Statistics_by_State/Wisconsin/

- 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.⁵

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www.nass.usda.gov/Statistics_by_State/Wisconsin/Publications/Annual_Statistical_Bulletin/index.php

Programs

Agricultural Development

The Division of Agricultural Development⁶ is dedicated to growing Wisconsin agriculture. The division provides financial assistance and logistics to businesses through 21 programs in an effort to promote success on the farm, through local and regional markets, to the national and international marketplaces.

The division is organized into three centers and one management team:

- Wisconsin Farm Center
- Wisconsin Agriculture and Food Center
- Wisconsin International Agribusiness Center
- Communication, Outreach and Operations

Wisconsin Farm Center

The Wisconsin Farm Center provides needed information and support to farmers and their families in order to help producers grow this sector of the state agricultural economy. The Center partners with industry groups, the university, and other agricultural business stakeholders. The core programs are:

- Agricultural Economic Development: Consultants help all types of Wisconsin farmers deal with their critical economic, business and social needs. Some of the services the Farm Center provides are financial and business consultation, farm succession planning, conflict mediation, production challenge mitigation, and other services assisting farmers and their families.
- Organics, Livestock Grazing and Specialty Crops: This program provides information and technical assistance to organic growers, grazers, and processors. In addition, this program works to strengthen farm support services and processing capacity, along with a host of other services.
- Minority Farmers Outreach: This program provides outreach and risk management assistance to beginning and minority farmers to increase their sustainability and profitability. The program emphasizes working with Hmong fresh market producers and Hmong ginseng growers, but assists all minority farmers facing production or marketing challenges and opportunities.

⁶ http://datcp.wi.gov/Programs/Agricultural_Development/index.aspx

- Herd-based Diagnostics: This program is administered in cooperation with the Wisconsin Public Service Commission (PSC). Consultants address stray voltage problems that can adversely affect cattle and milk production on dairy farms. Under the program, a PSC staffer and the utility evaluates individual stray voltage problems and recommends possible solutions. As part of a whole farm evaluation, the program offers related herd health diagnostic services.
- Mediation and Arbitration: This program provides mediation services for farmer disputes ranging from credit issues to environmental concerns to farm family conflicts. Mediation involves a neutral individual who helps facilitate negotiation and understanding between conflicting parties. Confidentiality is upheld throughout the mediation process.
- Grow Wisconsin Dairy Producer Grants: The goal of this grant is to improve the long-term viability of Wisconsin's dairy industry through services to increase farm profitability. This program provides assistance to licensed dairy farmers, without regard to size or type, focusing on creating long-term, sustainable operations.

Wisconsin Agriculture and Food Center

The Wisconsin Agriculture and Food Center supports the growth and success of local and regional food systems through business, farm and rural development programs and services. The core programs are:

- Business Development: This program provides the information, resources, and connections that emerging businesses require for success, such as technical assistance and referrals to agricultural entrepreneurs, consultation to agricultural clients on business improvements, assistance on exploring market and product opportunities for sector growth, and support to agricultural development statewide.
- Organic and Specialty Crop Market Development: This program develops and expands market share for local products within Wisconsin and the U.S. by engaging with a broad network of stakeholders, including food production companies, agricultural associations, food processors, distributors, wholesalers, retailers, etc. Additionally, this program provides industry stakeholders with market development assistance, research, technical seminars, and one-on-one business development consultation, among other methods.
- Wisconsin Farm to School: This program helps support the over 390 farm to school projects in Wisconsin annually. Comprehensive farm to school programs combine local or regional procurement efforts, nutrition and agriculture education, and student engagement activities, such as school gardening, in order to provide the broadest benefits to both students and farmers across Wisconsin. This program also works with farmers, food

distributors, and processors to identify and reduce impediments to increasing the amount of Wisconsin-grown and produced foods served in Wisconsin institutions, including schools.

- Something Special from Wisconsin™: This is a trademarked program through which participating businesses can apply to use the Something Special from Wisconsin™ logo if at least 50 percent of the value of the product or service is attributable to Wisconsin ingredients, production or processing activities. The annual fee is based upon a company's gross annual sales from the prior business year.
- Alice in Dairyland: "Alice" is perhaps one of the most recognizable spokespersons of Wisconsin agriculture. She travels throughout the state to promote Wisconsin products to audiences of all ages, educating the media, youth and civic groups about the many facets of the state's agricultural industry.
- Fairs: Annually more than three million people attend Wisconsin's 76 county and district fairs. DATCP works in partnership with the Wisconsin Association of Fairs to improve exhibits and to better showcase agriculture by improving signage, buildings, exhibits, landscaping and other miscellaneous items. This program also helps educate fairgoers about Wisconsin agriculture.
- Buy Local, Buy Wisconsin Grants: Competitive grant program to strengthen Wisconsin's agricultural and food industries by mitigating barriers in local food channels, increasing efficiencies in processing, marketing and distributing local food in local markets including stores, schools and institutions.
- Specialty Crop Block Grants: This grant provides federal funds to increase the competitiveness of Wisconsin specialty crops in domestic and foreign markets. The Specialty Crop Block Grant is a three-year grant program funding crop production research, grower education, and market development projects.
- Grow Wisconsin Dairy Processor Grants: Having achieved an annual milk production of 30 billion pounds in 2016, the emphasis of this grant program is to foster innovation, improve profitability and sustain the long-term viability of Wisconsin's dairy processing facilities. The grant is customizable for each processor and can be used to hire consultants to address a wide range of business needs including food safety, staff training, or facility modernization. Eligible applicants must operate a licensed dairy processing plant engaged in pasteurizing, processing, or manufacturing milk or dairy products that is, or will be, located in Wisconsin.
- Organic Certification Reimbursement: This federal rebate program provides funds to certified organic applicants. The amount of reimbursement

is a formula based on how much applicants have paid for the organic certification

Wisconsin International Agribusiness Center

The Wisconsin International Agribusiness Center identifies export opportunities around the world for Wisconsin's agricultural companies and producers. The economic development consultants provide technical expertise and market development initiatives to aid the growth of Wisconsin agriculture through increased exports and the development of trade-enhancing partnerships. The Center uses client feedback, global trends, market and export data to establish criteria for identifying target markets and activities. The Center's services include:

- Beginning Exporter Services: These one-on-one consultations help a firm evaluate its export potential and provide guidance on the mechanics of the export process. Clients learn about available resources, including export seminars and education workshops.
- Intermediate Exporter Services: In addition to the above, this service level includes information on the nuances of doing business in other countries and identifies strategies to reach out to those customers. This in-market research helps determine if certain markets are appropriate for a product.
- Advanced Exporter Services: This level also includes hosting one-on-one buyers' missions to build relationships with key international industry players. Those able to invest in travel abroad may participate in overseas trade missions to develop first-hand market knowledge through coordinated individual and group meetings.

2015–2017 Accomplishments

Wisconsin Farm Center

The Farm Center mission, simply stated, is to help farmers. In the 2015-2017 biennium, the Wisconsin Farm Center provided needed information and support to farmers and their families in order to help producers grow the agricultural economy. The core of our accomplishments are:

- Agricultural Economic Development: During the 2015-2017 biennium, farm center staff fielded more than 4,555 calls from farmers resulting in 284 official opened cases. 269 were closed during this period. 53% were for financial planning, 43% for transition and estate planning, and 4% were for beginning farmers or other farm issues. Consultants participated in 114 events where they connected with stakeholders.
- Organics, Livestock Grazing and Specialty Crops: This program participated in or implemented 37 events to connect with stakeholders and gather

more information on the latest developments in technology that can impact organics, livestock grazing and specialty crops farmers.

- Minority Farmers Outreach: During the 2015-2017 biennium, 237 Hmong growers (fresh produce and ginseng) participated in workshops. Collaborating with UW-Extension, the program developed the first pest management training for Hmong growers that prepared them to take the state's Pesticide Applicator training. More importantly, growers learned proper use for pesticides and key safety measures for themselves and their customers. A total of six workshops were held over the biennium for this purpose. In addition, another three workshops helped Hmong fresh market growers to sell in larger markets.
- Herd-based Diagnostics: Twenty-six clients were assisted with herd health services consultations. Issues the veterinarians commonly addressed on the farm included: low production, death losses, high somatic cell counts and high prevalence of clinical mastitis, lameness, infertility, calf losses/disease and behavioral issues.
- Mediation and Arbitration: This program managed 52 new cases in FY 2016, 11 cases carried forward from FY 2015, 63 total cases open during FY 2015, 47 cases closed in FY 2016, and 16 cases carried forward to FY 2017. Twenty-three cases opened in FY 2017 for a total of 39 cases in 2017. Thirteen cases closed and 26 carried forward in FY 2018.

Wisconsin Agriculture and Food Center

Wisconsin Agriculture and Food Center staff have developed strong inter-agency partnerships to provide a full array of state services to the food and agriculture industry, including business planning, financial planning, and technical assistance. Our accomplishments include:

- Business Development: Staff participated in and implemented 368 meetings, conferences and events to help food businesses at all stages from initiating an idea, creating a business plan, connecting to local foods, scaling up production and increasing profitability. Highlights include launching the now annual Edible Startup Summit, hosted in partnership with Dane County UW-Extension. This three-day event offered insight into developing a local food business including product development, raising funds, food safety, marketing, sourcing local Wisconsin ingredients, and branding and packaging development.
- Organic and Specialty Crop Market Development: This program expanded in 2016 and 2017 with staff implementing and participating in 72 events, programs and stakeholder meetings. Highlights included three organic trainings for veterinarians to help the better work with organic livestock producers, and two sets of field days highlighting specialty crop production in two Wisconsin micro-climates.

- Wisconsin Farm to School: During the 2015-2017 biennium, 199 farm to school meetings, programs, events, technical assistance trainings were implemented. Highlights include the first annual Great Lakes Great Apple Crunch held on October 22, 2015. The 8th National Farm to Cafeteria conference was held in Madison in June, 2016. DATCP secured the conference bid as part of a national competitive process, resulting in thousands of dollars of increased commerce for the city during the event.
- AmeriCorps Farm to School: This program grew from 16 host sites to 19 host sites. Members connected more than 200 farms to 120 schools serving over 18,000 students in Wisconsin. This program will transition to the Department of Public Instruction in fall, 2017.
- Something Special from Wisconsin™: Members note the program has helped them increase annual sales an average of 12% annually, in part, due to development of a new public website in 2016 providing each member with a robust company profile they manage themselves. It has reduced staff data entry time and gives the member company full control over the content in their public profile, including photos, newsletters, employee recruitment and more. The program has also focused on increased social media presence via Facebook and Twitter, and a larger presence at food shows such as increased participation in the Midwest Foodservice Expo from 22 exhibit tables in 2014 to our own pavilion of 36 companies in 2017.
- Alice in Dairyland: Combined, 68th Alice, Teyanna Loether, and 69th Alice Ann O’Leary gave 454 event speeches. They gave 103 TV interviews, 297 radio interviews, and 148 print interviews. They posted 2,212 social media messages and blogs. Also, under the Wisconsin Milk Marketing Board Student Education program, they presented to and interacted with 24,442 students.
- Fairs: This program assisted 76 county and district fairs, in cooperation with the Wisconsin Association of Fairs. In each year, a premium aid of just over \$400,000 was made available to county and district fairs to assist in financing their programs.
- Grow Wisconsin Dairy Grants: This program provides two types of grants: producer grants and processor grants. In 2015 and 2016, producer grants received 103 applications, awarded 75 grants, and distributed a total of \$364,000 for an average award of \$4,847 per grant. For the processor grants, this program received 23 applications, awarded 14 grants, and distributed a total of \$400,000 for an average of \$28,500.
- Specialty Crop Block Grant: In the 2015-2017 biennium, two competitive processes were held. DATCP received 78 applications requesting just under \$6 million, awarded 37 grants, and distributed a total of \$2,287,339 for an average of approximately \$60,000 per grant.

- Organic Certification Reimbursement: This program is a federal rebate program. In 2015-2016, there was a dramatic increase in applicants with a total of 1,840 applicants receiving a total of \$1,573,519 for an average amount of \$855 per application.
- Buy Local, Buy Wisconsin Grants: This state-funded competitive grant program received 23 applications in 2016 and 33 in 2017, requesting a total of \$1,826,467. Fourteen grants were awarded in the biennium for a total of \$400,000 with each award averaging \$28,500.

Wisconsin International Agribusiness Center

The Wisconsin International Agribusiness Center (WIAC) worked to facilitate international export of Wisconsin agricultural products. Consultants participated in more than 20 international events, coordinated more than 15 international delegations, and implemented and attended 48 outreach events.

Also, direct results of WIAC's services during the 2015-2017 biennium include:

- Additional economic activity: \$16.6 million in 2015-2016, \$15.2 million in 2016-2017.
- Anticipated increase in export sales generated by Wisconsin companies: \$38.9 million in 2016 and \$26.3 million in 2017.
- Export sales generated by Wisconsin companies: \$21.5 million in 2016, \$19.7 million in 2017.
- Companies receiving export development services from WIAC staff: 268 in 2016, 150 in 2017.
- In addition to Wisconsin companies reporting that their participation in these international trade programs led to millions in actual sales and anticipated increased sales, our consultants helped these companies access federal funding to defray international marketing expenditures. An example is the 2016 Mexico Trade Mission - The International Agribusiness Center also concluded a very successful trade mission to Jalisco, Mexico, Wisconsin's sister state since 1991. Governor Scott Walker and DATCP Secretary Ben Brancel led a trade mission to Mexico (June 13-18, 2016) to strengthen connections with the Mexican government and agricultural leaders, increase awareness of Wisconsin industry and commerce, and continue to build and reinforce Wisconsin's sister state relationship with Jalisco, one of Mexico's leading dairy regions.

2017–2019 Goals

- Assist agricultural businesses by helping companies become export ready and by providing technical assistance in international market development.
- Assist with agricultural business startup and expansion, focusing on profitability and financial sustainability resulting in job creation.
- Promote, foster, and develop supply chain components to build and expand regional local food clusters, resulting in an increase in sales and infrastructure investment.
- 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*TM holiday campaign.
- 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 resulting 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 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 Bureau⁷ is responsible for a wide-range of program areas from farmland preservation to livestock facility siting and statewide soil and water conservation efforts. While some of these areas are managed local-

⁷ datcp.wi.gov/Pages/Programs_Services/LWCOverview.aspx

ly 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 by providing funding for county conservation staff and landowner cost-sharing, offering technical assistance, and developing statewide standards.

- Soil and Water Resource Management Grants: In order to access state soil and water resource management funds for conservation staff support and grants to landowners for conservation practice installation, counties must have department-approved land and water resource management plans. The bureau manages state grant funds in coordination with the Department of Natural Resources.
- Producer Led Watershed Grants: In the last biennium, the Producer Led Watershed Grant program was established. This grant program, administered by the bureau, supports producer-led projects that encourage farmers to voluntarily take steps to prevent and reduce runoff from farm fields.
- Nutrient Management: The bureau supports implementation of nutrient management and other conservation practices through its nutrient management and conservation engineering staff located statewide. Nutrient management staff provide training and guidance to county staff, private agronomists, and farmers regarding the development of nutrient management plans and related conservation practices to reduce nonpoint pollution discharges. In addition, conservation engineers and technicians provide design services, training, and plan review for landowners and others to install conservation practices.
- Farmer and Landowner Assistance: Additional information and assistance is available to landowners and farmers through the newly established Door-Kewaunee Demonstration Farm Network, created through a three-year cooperative agreement between the bureau, the USDA Natural Resources Conservation Service and Peninsula Pride Farms. The bureau is also the lead on the Lafayette County Agricultural Enterprise Area Water Quality Improvement project through the USDA Natural Resources Conservation Service’s Regional Conservation Partnership Program which increases financial and technical assistance to farmers in the project area for conservation practice adoption.
- Farmland Preservation: The bureau administers the state farmland preservation program and reviews farmland preservation plans and farmland preservation zoning ordinances for certification. The bureau designates agricultural enterprise areas and enters into farmland preservation agreements to protect farmland and ensure soil and water conservation. The bureau also implements the Conservation Reserve Enhancement Program, in cooperation with the U.S. Department of Agriculture and the counties.

- Development and Review of Standards: The bureau is also responsible for: 1) administration of statewide standards for siting of livestock facilities; 2) analyzing agricultural impacts of road construction, energy, and other public projects on farmland; and 3) managing the statewide drainage district program.

Additionally, since the bureau does not directly administer farmland preservation, livestock siting, drainage districts, or soil and water conservation programs locally, the bureau develops statewide standards and reviews the programs put in place by local governments and county drainage boards.

- Advisory Boards: Two boards play a role in the bureau's programs. The Land and Water Conservation Board performs an advisory function, making recommendations regarding land and water resource management plans and the allocation of state funds to implement the nonpoint pollution control program. 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 Bureau⁸ 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 (EAB), both of which threaten forests and urban trees. The bureau conducts field surveys, imposes quarantines, and applies treatments as needed.

- Safeguarding Trade: 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.
- Pest Surveys: 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.

⁸ datcp.wi.gov/Pages/Publications/PlantIndustry.aspx

Agrichemical Management Bureau

The Agrichemical Management Bureau⁹ 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.

- Storage Standards: 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.
- 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.
- Inspection: 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.
- Clean Sweep: 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.

2015 - 2017 Accomplishments

Land and Water Resources Bureau

- Improved Planning and Reporting: In the last biennium, the department worked with counties and the Land and Water Conservation Board to improve work planning and reporting, which are fundamental to documenting county activities and progress implementing state priorities. Counties must submit annual work plans and reports, in a standardized format, to be eligible for annual grants through the soil and water resource management program. By working with counties, work plans now include a more comprehensive description of planned activities related to livestock, cropland and other focus areas, as well as more detailed benchmarks to mark per-

⁹ datcp.wi.gov/Pages/Programs_Services/ACMOverview.aspx

formance. The Land and Water Conservation Board made use of these enhanced planning tools to strengthen its review of county land and water resource management plans. To receive a favorable recommendation, counties must now answer written questions about plan implementation and submit recent work plans and reports to document accomplishments.

- Conservation Staff Funding: For calendar years 2016 and 2017, the department allocated \$17.48 million to pay for conservation staff in 72 counties, \$10.93 million in grants for counties to provide landowners cost-sharing for conservation practices, and over \$1.43 million to cooperators to provide farmer training, conservation professional training, and to support activities to implement nutrient management. In 2015, the top three cost-shared practices were nutrient management plans, grassed waterways, and streambank and shoreline protection. In 2016, nearly \$3.0 million was spent on cost-sharing grants. The top three conservation practices in 2016 were nutrient management plans, grassed waterways, and manure storage. In FY 2016, the department made the following timely payments within 30 days of reimbursement request receipt: \$5.14 million in payments for 1,167 cost-share project reimbursement requests; and \$9.54 million in payments for 175 staffing grant and cooperator reimbursement requests.
- Producer Led Watershed Protection Grants: The 2015-17 biennial budget created the Producer Led Watershed Protection Grant Program and gave the department grant-making authority equal to \$250,000 each fiscal year, and administration and rulemaking responsibilities. To implement the program, the department promulgated ATCP 52. The rule was initially enacted as an emergency rule, and later made a permanent rule effective June 1, 2017. In fiscal year 2016, the program awarded \$242,500 to 14 producer-led watershed groups. In fiscal year 2017, the program awarded \$197,065 to 11 groups, ten of which were existing groups, and one new group that formed to request funding.
- Nutrient Management: Through the efforts of department nutrient management specialists, county staff, and cooperator groups, 1,816 farmers wrote their own nutrient management plans in 2017 on 532,400 acres, accounting for 24% of all nutrient management plans on 6% of Wisconsin's total cropland acres. In the same year, 5,911 farmers hired 89 agronomists to assist them with nutrient management planning on 2,824,394 acres. Agronomists produced 76% of the total plans, covering 31% of total cropland acres. In 2017, 3,356,794 acres, or 37%, of Wisconsin's cropland are covered by an approved nutrient management plan.

In the 2015-17 biennium, the department revised ATCP 50 to reflect a new NRCS 590 Nutrient Management Standard for farms, to update the cost-share rate to implement the nutrient management practice standard, and to adjust other provisions related to nutrient management planning. As of October 2017, the ATCP 50 revised rule is with the Senate and Assem-

bly Agriculture Committees for their review. Rule promulgation is anticipated for early 2018.

- Technical Assistance: The department has nine conservation engineering field staff who provide counties, farmers and others with engineering technical assistance to install conservation practices such as manure storages, waste transfer systems, streambank and shoreline protection, erosion control and other engineered practices. Annually, the conservation engineering staff provided over 1,150 support services, which in the fiscal year 2016 translated into the following activities: 94 designs of conservation practices, 221 reviews of designs, 260 approvals of designs, 100 construction approvals, 82 inspections of installed practices, and 403 project consultations (including site assessments, surveys, and training).
- Demonstration Farm Network: Late in the 2017 fiscal year, the department entered into a three-year cooperative agreement with the USDA Natural Resources Conservation Service and Peninsula Pride Farms to establish a Door-Kewaunee Demonstration Farm Network. The goal of the network is to test how well specific conservation practices work to achieve conservation goals and to demonstrate these practices to area farmers, agronomy professionals, and the general public. Conservation goals include reducing erosion and sedimentation, controlling phosphorus runoff, increasing organic matter, and improving soil health on working farms.
- Farmland Preservation: During the biennium, the department certified 21 county farmland preservation plans. The department awarded \$390,463 in planning grants to assist counties with farmland preservation planning efforts. During the same period the department certified 65 farmland preservation zoning ordinances.

Through participation in the farmland preservation program, over 13,000 farmland owners have been able to collect approximately \$18.1 million per year in farmland preservation income tax credits paid by the Wisconsin Department of Revenue. In return for the tax credits, these claimants maintain compliance with state soil and water conservation standards on 2,530,000 acres of Wisconsin farmland.

- Agricultural Enterprise Areas: The department designated three new Agricultural Enterprise Areas (AEAs) and modified one existing AEA during the biennium. Following the 2017 AEA designation, there will be 34 AEAs statewide, covering over 1,100,000 million acres in portions of 25 counties and 98 towns, as well as the Bad River Reservation. Since 2009, the bureau has recorded 656 farmland preservation agreements covering 142,221.5 total acres.
- Conservation Reserve Enhancement Program: The department awarded \$1,827,863 in Conservation Reserve Enhancement Program (CREP) grants to landowners to cost-share the installation of conservation practic-

es, provide incentive payments for enrollment of 604 CREP agreements, and establish seven new CREP easements, on a total of 7,026 acres. This includes both new enrollments and reenrollment of 15 year agreements which began expiring in 2016.

- Siting Livestock Facilities: The livestock facility siting law continues to provide a predictable process for securing a siting permit based on compliance with state requirements. As of August 2017, 31 counties, 94 towns, six cities and villages (Berlin, Fitchburg, Germantown, New Glarus, Richfield and Rochester) adopted siting ordinances. During the same period, counties issued over 80% of the 161 permits, with the following counties issuing the most permits: Manitowoc (25), Trempealeau (21), Shawano (16), Jefferson (15), Marathon (12) and Dodge (10). In 2016-2017, the department prepared a rule revision based on input from stakeholder listening sessions and with the advice of the expert technical committee. The draft rule was presented to the ATCP Board in July 2017 and additional stakeholder meetings were held at the board's request.
- Reviewing Agricultural Impacts: During the 2015-17 biennium, staff in the Agricultural Impact Statement program reviewed 134 public projects affecting farmland. They published thirteen agricultural impact statements and one addendum covering potential impacts to 751 acres of farmland. Staff continues to monitor the construction impacts to agricultural lands for the two largest projects, the North Appleton to Morgan 345/138 kV Transmission Line project between Appleton and Oconto Falls affecting about 863 acres of farmland and the Badger Coulee 345 kV Transmission Line between West Middleton Substation in Dane County and the Briggs Road Substation near La Crosse affecting about 695 acres of farmland.

Plant Industry Bureau

- Gypsy Moth: The department treated 202,664 acres for gypsy moth at 86 sites in 21 counties in 2016 and 232,668 acres at 101 sites in 21 counties in 2015. Trapping surveys in 51 counties in 2016 showed an 11% decrease in male moth catches (86,462) compared to 2015 (95,505). Severe weather in 2016—including a cool and wet spring--were factors resulting in the lower male population. The large decrease was attributed to a cold winter and abnormally wet spring. The rate of spread was below the target rate during the biennium, indicating that the annual treatments are successfully achieving the goal of slowing the spread of the gypsy moth. A total of 50 counties are quarantined for gypsy moth, and no additional counties were quarantined during the biennium.
- EAB: This pest continues to be a threat to the state's 834 million ash trees. EAB has been found in 275 communities since its first detection in 2008. In 2015, there were 49 new detections of EAB in Wisconsin, followed by 98 additional detections in 2016. These detections resulted in

four additional counties being quarantined during the biennium. A total of 42 Wisconsin counties have been quarantined for EAB since 2008.

- Safeguarding Trade: The phytosanitary certification program is a cooperative program with USDA 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. Plant Industry Bureau staff issued 7,200 phytosanitary certificates in 2016, which was an increase of 83 over the 7,117 issued in 2015. While the number of certificates declined from the previous biennium, the value of the exports increased; the certificates expedited the export of over \$1 billion in plants and plant products each year. Demand for phytosanitary permits has increased over the biennium due to continued large volume exports of wood products, grain, distillers dried grain, and gluten meal. The value of Wisconsin's log and lumber accounted for over 42% of all certificates issued in 2015 and 2016; soybean grain and corn grain were also major exports. Southeast Asia was the destination for most of the certificates issued. This trend in exports and demand for phytosanitary certificates is expected to continue.
- Licensing and Inspections: The department licensed approximately 616 nursery growers, 1,127 nursery dealers, and 367 Christmas tree growers annually in 2015 and 2016. This represents a small decline from the previous report. During the biennium, staff inspected approximately 38% of nursery grower fields, 25% of nursery dealer sites, and an estimated 75% of licensed Christmas tree producers' fields. The department also licensed 728, inspected 28% and sampled about 16% of seed labelers annually during the biennium.

Agrichemical Management Bureau

- Safe Storage and Handling: Annually, the Agrichemical Management Bureau issued around 13,000 pesticide applicator, fertilizer, soil/plant additive, lime, feed, and pesticide manufacturing licenses. The bureau also annually registered over 13,000 pesticide products, certified approximately 6,000 pesticide applicators (for a total of nearly 32,000 certified applicators), investigated over 105 pesticide, feed and fertilizer complaints, and took over 150 enforcement actions.
- Clean Sweep: The Clean Sweep Program awarded \$750,000 each year of the biennium in grants to local governments. The grants resulted in collection of 2.6 million pounds of waste in 2015 and 2.5 million pounds in 2016. 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.
- Protecting Pollinators: During the biennium, the Bureau worked with the Plant Industry Bureau and stakeholders to develop and publish the state's

first pollinator protection plan¹⁰. The finalized plan was published in April 2016.

- **Agrichemical Clean Up:** The bureau also managed about 140 remediation cases at agrichemical facilities each year and reimbursed about \$1.4 million in clean-up costs to responsible parties in 2015 and \$800,000 in 2016. The bureau also provided oversight on about 48 agrichemical spills in 2015 and 43 in 2016.

2017–2019 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.
- Implement changes to pesticide, feed, and fertilizer fees and programs that were adopted in the 2017-2019 state budget.

Animal Health

The Division of Animal Health (DAH) 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

¹⁰ datcp.wi.gov/Pages/Programs_Services/PollinatorProtection.aspx

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 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 programs¹¹, 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; brucella ovis-free flock certification for sheep; the Chronic Wasting Disease (CWD) 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 program¹² through a contract with the Wisconsin Livestock Identification Consortium, 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 animals¹³.

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 of-

¹¹ datcp.wi.gov/Pages/Programs_Services/AnimalDiseases.aspx

¹² datcp.wi.gov/Pages/Programs_Services/OfficialID.aspx

¹³ datcp.wi.gov/Pages/Licenses_Permits/Animals.aspx

ficer 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.

2015-2017 Accomplishments

Safeguarding Animal Health

The division responded to numerous potential disease threats over the last biennium. Disease responses include:

- Seneca Virus A: State and Federal Animal Health veterinarians are continuing their investigations of swine with vesicular (blister-like) lesions at Wisconsin slaughter establishments. Thus far, all of the lesions have been caused by Seneca virus A (SVA), a domestic swine disease which does not preclude using the animals for food. DAH staff are currently looking at possible risk factors for SVA transmission as they work towards reducing the number of cases. Veterinary staff have conducted 571 investigations since the lesions began appearing in Wisconsin in October 2016 to September 30, 2017. There have been 1,448 pigs reported with lesions during these investigations. These investigations of vesicles have great significance due to the fact that they look exactly like Foot and Mouth Disease, which would be a devastating disease to our estimated \$50 million livestock industry.
- Tuberculosis (TB): DAH staff is currently investigating two beef herds that imported cattle that may have come from a tuberculosis (TB) positive herd in South Dakota. The two herds were quarantined until herd testing was completed. No TB was found to be transmitted.
- Highly Pathogenic Avian Influenza (HPAI): This virus was diagnosed on 10 premises in Wisconsin from April – May of 2015. This led to the depopulation of almost two million poultry and the destruction of 42,000 thousand fertilized eggs. HPAI is an extremely infectious disease that is fatal to birds. Once established, the disease can spread rapidly from flock to flock. DAH worked quickly to eradicate the disease, as several countries banned the import of Wisconsin poultry until monitoring and testing were completed. According to the USDA, the HPAI incident that occurred

in the spring of 2015 was the worst animal disease event in the nation's history.

- Seoul Strain of Hantavirus: DATCP collaborated with the Department of Health Services (DHS) to control Seoul hantavirus, a pathogen of humans and rats, in a Northeast Wisconsin rattery in February, 2017. Division veterinarians worked with Centers for Disease Control (CDC) and DHS to depopulate the rats, due to the Seoul strain of Hantavirus causing two people in the household to become ill, including one hospitalization. This discovery of human disease coming from the rats has led to a multi-state investigation in an attempt to identify the source of rats carrying the Seoul Hantavirus.
- Salmonella: Division veterinarians continue to work with USDA, CDC, DHS, and Wisconsin Veterinary Diagnostic Laboratory on multi-drug resistant Salmonella Heidelberg cases in humans across the United States that are associated with dairy bull calves from Wisconsin. Animal Health field and office veterinarians are also working with USDA to perform a regional survey to identify how widespread this issue may be.
- CWD: Division veterinarians have responded to CWD on five farm-raised deer keeper premises over the biennium, including one premises that was depopulated. CWD is a transmissible neurological disease of deer and elk that produces small lesions in brains of infected animals. It is characterized by loss of body condition, behavioral abnormalities and death. DAH is working to control CWD in captive deer herds in Wisconsin.

Program Initiatives

- Administrative Rule Review: The division routinely reviews administrative rules to eliminate unnecessary and out-of-date rule requirements and to adjust rules as federal requirements change and other issues arise.
- Porcine Reproductive and Respiratory Syndrome: At the request of the swine industry, the division has proposed rules requiring testing of swine for porcine reproductive and respiratory syndrome (PRRS)/swine enteric coronavirus disease (SECD) prior to movement. PRRS costs the swine industry more than \$640 million per year nation-wide. Since 2013, SECD has killed more than an estimated nine million pigs and within a year spread to 38 states and thousands of premises.
- Safeguarding Animal Markets: The division regulates the import and movement of animals to prevent the spread of disease. In 2016, 388,726 animals were imported into Wisconsin accompanied by 14,202 CVIs, as multiple animals can be recorded on one CVI. Also, 361,455 bovine were exported out of Wisconsin accompanied by 9,983 CVIs.

The division licensed and monitored 69 animal markets, 251 animal dealers, 346 animal truckers, 413 farm-raised deer herds, 203 farm-raised deer herds that participate in the CWD herd status program, 60 hunting preserves, 2,868 fish farms, and 376 dog sellers and dog facility operators.

2017-2019 Goals

- **Disease Management**: Continuously improve our ability for rapid detection, control and eradication of animal diseases affecting animal and public health
- **Collaboration with Industry and Animal Health Partners**: Improve collaboration, strengthen relationships and build partnerships among all stakeholders in Animal Health.
- **Technological and Operational Excellence**: Analyze our resources and operation procedures to address needs with an eye to the future
- **Employee Development**: Support all staff in attaining levels of professional effectiveness through an investment in providing the right training, tools, and creating opportunities for leadership.
- **Animal Welfare**: Provide continuous awareness for staff and stakeholders on appropriate handling of animals and continue to be a resource for guidance and education on humane care for all animals.

Food and Recreational Safety

The Division of Food and Recreational Safety¹⁴ protects Wisconsin's food supply from farm to table, through oversight of food production, processing, distribution and retail sale. In addition, it protects consumers from fraud and misbranding of food products. The division also ensures the safe operation of lodging establishments (hotels, bed-and-breakfast operations, and tourist rooming houses), pools and water attractions, campgrounds, and recreational/educational camps.

On July 1, 2016, restaurant, vending machine, lodging establishment, pool and water attraction, campground, and recreational/educational camp license programs were transferred to the division from the Department of Health Services (DHS). In addition to these programs, the division administers several programs, including the Grade A dairy program, manufactured food inspection, produce safety, retail food establishment inspection, 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

¹⁴ datcp.wi.gov/Pages/Programs_Services/FoodSafetyBusinessInformation.aspx
datcp.wi.gov/Pages/Programs_Services/recreationalfacilities.aspx

chemical, including drug residue, analyses on food, milk, or water. In collaboration with the department's Bureau of Laboratory Services, the division samples and analyzes foods to ensure food safety and protect consumers.

Food and Recreational Businesses Bureau

The Bureau of Food and Recreational Businesses licenses and inspects approximately 9,000 dairy farms and nearly 9,200 other dairy-related businesses and personnel, such as dairy plants, receiving/transfer stations, bulk milk weigher samplers, and bulk milk tankers. The bureau also licenses about 12,000 other food, lodging, and recreational businesses, such as food processing plants; grocery stores, convenience stores, and other retail food establishments; food warehouses; restaurants; hotels, tourist rooming houses, and bed and breakfast businesses; pools and water attractions; campgrounds; and recreational/educational camps.

Laboratory analyses serve an important function in ensuring the safety of food, dairy products, and water supplies throughout Wisconsin. The bureau certifies food, dairy, and water laboratories and the analysts working in these laboratories.

The bureau also works with local governments to protect food safety. Local health departments in 55 cities, counties, and multi-jurisdiction consortia license and inspect restaurants and other retail food establishments, lodging facilities, pools and water attractions, campgrounds, and recreational/educational camps as agents for the bureau. These "local agents" must comply with state statutes and the Wisconsin administrative code.

Meat and Poultry Businesses Bureau

The Bureau of Meat and Poultry Businesses administers Wisconsin's meat inspection program, which covers about 260 licensed meat establishments and about 50 custom-exempt meat slaughter or processing operations, of which 18 perform mobile slaughter or processing operations. Wisconsin's program is the largest state-run meat inspection program in the nation and meets all USDA requirements for state programs.

Wisconsin also participates in the USDA Cooperative Interstate Shipment (CIS) program, which allows selected and approved state-inspected establishments to ship certain products wholesale across state lines. Thirteen state-inspected establishments have entered this program and are expanding their market areas.

2015–2017 Accomplishments

- Successfully merged the DHS Food Safety and Recreational Licensing unit into the division's Bureau of Food and Recreational Safety, as authorized under 2015 Wisconsin Act 55. This consolidation transferred 35 full-time equivalent positions and oversight of approximately 7,300 licensed businesses to the division.

- Formed a Rapid Response Team to improve ongoing trace-back, epidemiology, public outreach, and impact mitigation associated with foodborne illness outbreaks.
- Implemented the Produce Safety Regulatory Program under a cooperative agreement with the US Food and Drug Administration (FDA) that encourages the safe production, harvest, packing, and storage of fresh fruits and vegetables in compliance with new FDA regulatory requirements. Improving produce safety will protect public health by reducing the incidence of foodborne illness associated with these foods. The expected outcome of this work is a program that educates produce businesses in best practices for minimizing the contamination of fresh fruits and vegetables with pathogenic microorganisms.
- Revised rules applicable to the production and grading of maple syrup. Wisconsin is the nation's fourth largest producer of maple syrup and the industry is developing other innovative products derived from maple sap.
- Conducted nearly 1,200 inspections of manufactured food (food processing plant, food warehouse) businesses in the most recent fiscal year.
- Streamlined collaboration with FDA to avoid unnecessarily repetitive inspections, and thereby ensure effective use of state and federal resources.
- Continued full compliance with the FDA's Manufactured Food Regulatory Program Standards. This achievement positions the State's program in a national integrated food safety system that promotes consistency of food safety standards and regulations nationwide.
- Collaborated with industry in the expansion of the CIS program from nine to thirteen meat establishments. Of the four states participating in the CIS program, Wisconsin has the largest number of establishments (13 of 27).
- Developed a new section in the Bureau of Meat and Poultry Businesses to expand oversight of compliance activities for businesses that intentionally operate outside of regulatory requirements.
- Conducted over 12,000 dairy program inspections in the most recent fiscal year and maintained conformance with FDA Grade A milk program requirements.
- Revised rules governing the production, processing and sale of milk and milk products to provide a general "one stop" resource for milk producers and dairy plant operators.
- Conducted nearly 1,300 inspections of lodging and recreational businesses in the most recent fiscal year, with emphasis on completing inspections in prime tourism areas of Wisconsin.

- Continued to improve the speed and consistency of information provided to potential food, lodging, and recreational business operators by hiring a third licensing specialist to handle this important responsibility.
- Responsively evaluated industry requests for variances from existing regulatory requirements. In the most recent fiscal year, over 200 requests were reviewed and approved if they did not endanger public health.
- Continued to rapidly respond to complaints from the public about regulated businesses. On average, the Division responds to over 300 such complaints per month.

2017–2019 Goals

The Division of Food and Recreational Safety will protect public health through safe food, lodging, and recreation by:

- Providing education, consultation, and regulation to food, lodging, and recreational business operators to assist them in providing safe, high quality food and services.
- Responding to consumer concerns and information needs.
- Advocating for food and public health safety needs of the public.

The division will also strive to ensure that regulatory activities are carried out consistently across the state and nation. To that end, the division will continue to:

- Meet national standards for meat and poultry, manufactured food, and retail food regulatory programs.
- Participate in state – federal cooperative efforts to standardize public health measures and standards, e.g. National Conference on Interstate Milk Shipments (oversees Grade A dairy program and maintains the Pasteurized Milk Ordinance), Conference for Food Protection (maintains the FDA Model Food Code for retail food establishments).

The division will carry out its mission by:

- Improving management of electronic data needed to most effectively prepare for conducting risk-based inspections.
- Streamlining license application, approval, and renewal processes.
- Advocating for increased staffing necessary to perform ongoing work.

- Providing consistent and efficient one-stop service to local health department agent programs who oversee retail food, lodging, camp/campground, and water park / pool businesses in metropolitan areas and the majority of counties in the state.
- Increasing inspection efficiency by adopting new inspection data management technology.
- Continuing to support growth of the CIS program so that state-inspected meat establishments can develop new markets for their products across state lines.
- Taking national leadership in the development and implementation of standards for lodging and recreational business regulatory programs.
- Developing and delivering the education, outreach, and on-farm readiness review programs necessary to help produce farmers successfully prepare for initial inspections under the Produce Safety Regulatory Program.

Management Services

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

Bureau of Finance

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

The bureau handles procurement and contracting of services along with managing the purchasing card system for the agency. 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 include mailroom operations and department fleet management.

Bureau of Human Resources

The Bureau of Human Resources helps department managers and staff with recruitment efforts, job analysis, payroll and benefits, employment relations, and other human resource needs.

The bureau manages the state's employee classification system and evaluates position or occupational compensation levels. The bureau evaluates overall employment trends, analyzes management and organizational needs, and helps develop long-term workforce plans.

The bureau develops and implements personnel policies, administers the state compensation plan, as well as collective bargaining agreements, and helps the department comply with state and federal employment laws. The bureau provides guidance on internal personnel matters (e.g. Performance improvement plans, work rule violations, harassment/ discrimination complaints, etc.) as well as manages employee grievances, both assisted by department counsel as appropriate.

The bureau further provides support to employees through a variety of other programs: wellness and employee assistance programs, reasonable accommodations, State and Federal Family and Medical Leave Acts, and managing training records in conjunction with disseminating training opportunities to employees.

Bureau of Information Technology Services

The Bureau of Information Technology Services is the department's technical services organization. The bureau manages the department's internal network and telecommunications 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 application development, 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 is also home to the department's geographic information system (GIS), which support business areas across the department. Staff 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 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 tech-

nology solutions that improve online access to DATCP public services and streamline the regulatory processes through advanced 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 and fertilizer label guarantees, pesticide misuse, agricultural chemical spills, agricultural chemical cleanup, 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 and food safety related outbreak incidents throughout the state.

2015–2017 Accomplishments

- *Bureau of Finance.* Completed the 2015–17 biennial budget submittal and expanded the department’s ability to accept online payments. The bureau was also actively involved in the implementation and process improvements of the state’s PeopleSoft financial system for the department.
- *Bureau of Human Resources.* Reviewed and/or provided recommended updates on a range of policies (e.g., Balanced Interview Panels, Harassment in the Workplace, internal Transfer, Internet Usage, Equal Opportunity and Affirmative Action, Reasonable Accommodations, Professional Time, etc.); utilizing SharePoint functionality to streamline recruitment and selection paperwork processing from divisions to human resources through electronic (versus paper) means; maintaining university system contacts for in-classroom recruitment presentations related to division programming to enhance outreach about State of Wisconsin and agency job opportunities; developed a partnership with the Department of Transportation for delivery of training to staff as DATCP does not have a Training Coordinator position; managing the implementation of PeopleSoft’s Enterprise Learning Management System for DATCP; continued education and assistance to agency employees on time, leave, and benefits topics as well as related

self-service functionality in PeopleSoft; and movement of legacy personnel files to electronic format.

- *Bureau of Laboratory Services.* Completed the Statewide ground water survey for the Division of Agricultural Resource Management in 2016. This testing event occurs approximately once every 7 years and encompasses testing of select wells for agrichemical presence and levels that generated an additional 400 samples. Completed an upgrade to the laboratory information management system which is used to maintain information for samples received by the lab and test results generated by the lab. Met increased testing demand from clients over the time period and completed many R&D and methods extensions for clients to meet changes in testing needs.
- *Bureau of Information Technology.* Continued to develop a new enterprise-wide system for department licenses, permits, registrations, exams, complaints, inspections, and compliance evaluations. Staff also unified agency data, including online self-service and payment access for customers. Programs that have been completed include:

- **Veterinary Examining Board**

- Veterinary Medicine Licensure by Examination
- Veterinary Medicine Licensure by Endorsement
- Veterinary Medicine Licensure by Endorsement of NAVLE/NBE/CCT
- Veterinary Technician Certification by Examination
- Veterinary Technician Certification by on the Job Training
- Veterinary Technician Certification by Passing VTNE

- **Division of Trade and Consumer Protection**

- Aboveground Tank System Installer Certification
- Cathodic Protection Tester Certification
- Corrosion Expert Certification
- Site Assessor Certification
- Tank Specialty Firm Registration
- Tank System Inspector Certification
- Tank System Liner Certification
- Tank System Remover Cleaner Certification
- Tank System Tightness Tester Certification
- Underground Tank System Installer Certification
- Underground Tank System Liner Certification
- Underground Storage Tank Systems Permit to Operate

- Weights and Measures Practices Complaint
- Consumer Protection Outreach Request
- Service Company License
- Service Technician Certification
- Storage Tank Regulation
- Storage Tank Certifications and Credentialing Exams
 - Aboveground Tank System Installer Exam
 - Tank System Remover Cleaner Exam
 - Tank System Site Assessor Exam
 - Underground Tank System Installer Exam
 - Underground Tank System User Exam

- Consumer Complaints
 - Door to Door Complaint
 - General Consumer Complaint
 - Home Improvement Complaint
 - Identify Theft Complaint
 - Landlord Tenant Complaint
 - Motor Vehicle Repair Complaint
 - Product Safety Complaint
 - Telecommunications Complaint
 - Telemarketing Do Not Call Complaint

2017–2019 Goals

- *Bureau of Finance.* Continue expansion of the department’s ability to accept online payments and continue to enhance reporting capabilities utilizing dashboards in State’s PeopleSoft financial system. Also, continue review and updating of financial policies and procedures.

- *Bureau of Human Resources.* Continue policy review and updates (e.g., Time & Attendance, Alternate Work Patterns, etc.) based on the established review cycle. Review and revise the agency’s employee handbook where appropriate. Identify and evaluate new resources and outreach opportunities in an effort to increase the number of qualified underutilized job group applicants for DATCP positions. Support implementation of the STAR/PeopleSoft system for the pending Talent Acquisition Management and performance management modules; provide input and support changes with Shared Services. Continue to refine benefits reconciliation methods and processes under central payroll and benefits guidance.

- *Bureau of Laboratory Services.* Implementation and training of key personnel on the new instrumentation software program. Improve the capabilities and depth of our Quality System throughout the lab focusing on document and equipment change control and overall organiza-

tion and consistency of record handling and storage. Continue to look for opportunities for lean improvements in our processes, as well as areas we can build depth and secure institutional knowledge.

- *Bureau of Information Technology Services.* Continue to develop enterprise-wide system for department licenses, permits, registrations, exams, complaints, inspections, and compliance evaluations; and develop new approaches for analyzing and visualizing spatial data to support agency decision making.
- *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 Protection¹⁵ 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 Business Trade Practices

The Bureau of Business Trade Practices promotes fair and open competition in the marketplace through the regulation of 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’s agricultural producer security program provides a level of assurance that producers will be paid for the products they sell and that grain held in storage is safeguarded. Anyone that purchases milk, grain, or vegetables (for processing) directly from farmers is required to obtain a license. The bureau monitors the financial condition and business practices of licensees by reviewing annual financial statements and conducting compliance reviews. In the event of a default, the bureau manages an indemnity fund that partially reimburses producers for their loss. In some cases, the bureau may require licensees post individual security in the form of a bond or letter of credit.

The bureau also provides commodity grading and certification services, including conducting Good Agricultural Practices/Good Handling Practices audits. In cooperation with the U.S. Department of Agriculture, the bureau operates programs for grading, inspection, weighing, and certification of grain, fruits, and vegetable

¹⁵ https://datcp.wi.gov/Pages/About_Us/DTCPOverview.aspx

products. These programs ensure accurate representation of product quality, condition, size, and compliance with grading standards and export requirements.

Bureau of Consumer Protection

DATCP is the State of Wisconsin's lead agency for consumer protection. The Bureau of Consumer Protection has 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. The bureau's 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 statutory authority to prohibit and enforce unfair trade practices by rule. Consumer protection investigators mediate complaints, tracks trends and emerging consumer issues, 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 releases warning of emerging consumer frauds, maintains a website, and social media accounts, and offers brochures on specific consumer topics. Staff works closely with television, radio, and print media.

The bureau manages the popular do not call program, allowing consumers to reduce unwanted telemarketing calls. It also provides education and information on identity theft, facilitates business roundtables on best practices for safeguarding information, educates local law enforcement on victim assistance techniques, works closely with local consumer protection advocacy organizations to alert vulnerable demographics of scams, 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 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.

2015–2017 Accomplishments

- The Bureau of Business Trade Practices initiated a comprehensive review of the Agricultural Producer Security Program, leading to a number of statutory and administrative rule changes that will be implemented in 2018.
- During the biennium, the Bureau of Business Trade Practices resolved more than 699 case files involving 1,506 alleged violations of the Unfair Sales Act and conducted 618 Agricultural Producer Security audits.
- In 2016, the Division of Trade and Consumer Protection returned over \$22 million to consumers.
- The Bureau of Consumer Protection handled over 35,000 complaints and inquiries from consumers and businesses in 2016. Consumer Protection also responded, on average, to formal complaints within 10 days.
- The Bureau of Consumer Protection issued 591 warning letters and collected over \$21 million in civil forfeitures and court fees and assessments for violations of Wisconsin consumer laws in 2016.
- In January 2017, Wisconsin’s Do Not Call list had more than 4.5 million registrants. The Bureau of Consumer Protection issued 279 cease and desist letters to telemarketing violators in 2016.
- In 2016, the Bureau of Consumer Protection distributed over 31,000 educational materials, in addition to having them available for download on the department website. Some of the most popular topics included: scams targeting seniors, telemarketing (do not call), landlord-tenant rights and responsibilities, telecommunications, home improvement, and identity theft.
- In 2016, Weights and Measures staff inspected about 60,000 devices, 159,000 packages, and 6,300 business locations to ensure a fair marketplace. Consumer confidence was 99.7% for retail scales, 99.6% for gas pumps, and 98.8% for price accuracy.

2017–2019 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 division will continue to review its administrative rules to ensure they are relevant to today’s marketplace.
- The Business Trade Practices Bureau will continue to implement legislative and administrative code changes.
- The Bureau of Consumer Protection will focus on preventing and reducing fraudulent, unfair and deceptive practices in the marketplace and ensuring fair competition.
- The Bureau of Weights and Measures plans to continue to improve program efficiency and customer service; and increase compliance with storage tank, fuel quality, and weights and measures regulations through education and progressive enforcement.

Appendix—Budget and Staffing

DATCP 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 2015-16 and 2016-17, the department had overall expenditure and position authority as shown in Table 1.

Table 1. Expenditure and position authority

DATCP expenditure and position authority by fiscal year and fund source, 2015-17 biennium. (Source: state budget system.)

	2015–16		2016–17		2016–17 Percentages	
	\$	FTE	\$	FTE	\$ %	FTE %
GPR	\$26,797,200	207.60	\$26,776,800	207.60	27%	32%
PR	15,905,100	145.54	19,364,100	180.54	20%	28%
PR-S	6,721,600	39.48	6,738,600	39.48	7%	6%
FED	11,977,900	84.77	11,983,000	84.77	12%	13%
SEG	32,577,200	132.40	32,738,600	132.40	34%	21%
	\$93,979,000	609.79	\$97,601,100	644.79		

Less than one third of the department’s expenditure authority and only 32% of its position authority is from GPR funding.

About 16% 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 2016-17, by use. (Source: state budget system.)

	2016-17	%
State Operations	\$82,250,100	84%
Aids to Individuals & Organizations	5,287,700	5%
Local Assistance	10,063,300	11%
	\$97,601,100	

The department's position authority is concentrated in the Divisions of Food and Recreational Safety, Trade and Consumer Protection, and Agricultural Resource Management, as shown in Table 3. Table 3 shows authorized full-time equivalent positions by division.

Table 3. Position authority by program

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

	FTE	%
Food & Recreational Safety	229.99	36%
Trade and Consumer Protection	132.80	21%
Agricultural Resource Management	102.05	16%
Management Services & Secretary's Office	64.90	10%
Animal Health	42.50	7%
Agricultural Development	28.95	4%
Management Services-Laboratory	25.00	4%
Management Services-Federal Funds	15.60	2%
Wisconsin Agricultural Statistics Service	3.00	0%
	644.79	

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2811 Agriculture Drive, PO Box 8911, Madison, Wisconsin 53708-8911

<http://datcp.wi.gov/>