



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

DATE: April 9, 2013

TO: Bruce Hoesly, Legislative Reference Bureau
1 East Main Street, Suite 200

FROM: Ben Brancel, Secretary

**SUBJECT: Ch. ATCP 29 - Pesticide Use and Control; Final Rule
(Clearinghouse Rule #12-003)**

The Department of Agriculture, Trade and Consumer Protection (DATCP) hereby submits the following rule for publication:

CLEARINGHOUSE RULE #: 12-003

SUBJECT: Pesticide Use and Control

ADM. CODE REFERENCE: ATCP 29

DATCP DOCKET #: 08-R-08

We are enclosing a copy of the final rule, as adopted by DATCP. We are also providing the following information for publication with the rule, as required by s. 227.114(6), Stats.

Business Impact Analysis (Summary)

This rule will impact certain pesticide-related businesses, including small businesses. This rule is expected to add minimal, if any, costs to affected pesticide applicators and pesticide application businesses. Moreover, this rule will not have a significant effect on local markets, on the sale or distribution of pesticide products, or on the overall economy of this state. Pesticide application businesses may experience cost savings as a result of clarifying existing regulations, improving regulatory consistency and modifying administrative requirements, including the ability to provide certain notices and submit certain permit applications by electronic means.

This rule will benefit Wisconsin's pesticide use and control industry and the general public by updating and clarifying existing rule language, ensuring consistency between different regulations, and establishing new regulations to protect human health and the environment. This rule was developed in cooperation with an

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Bruce Hoesly
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advisory body made up of representatives of the Wisconsin pesticide industry, Wisconsin's environmental community, and Wisconsin consumers, and is supported by this group.

Comments from Legislative Committees (Summary)

On January 7, 2013, DATCP transmitted the above rule for legislative committee review. The rule was referred to the Senate Committee on Energy, Consumer Protection, and Government Reform and the Assembly Committee on Agriculture. Neither committee took action on the rule. The Senate referred the rule to the Joint Committee for Review of Administrative Rules (JCRAR) on February 12, 2013 and the Assembly referred the rule to JCRAR on February 26, 2013. JCRAR took no action on the rule.