



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 46
[2017 Senate Bill 23]

Certified Seed Potatoes

2017 Wisconsin Act 46 requires a person to plant only certified seed potatoes if the person plants five or more acres of potatoes in this state in a year. The Act allows the Department of Agriculture, Trade, and Consumer Protection (DATCP) to waive this requirement for specific varieties and genomes of potatoes for a particular growing season if there are not enough certified seed potatoes reasonably available to growers and DATCP determines that the seed potatoes that will be used for planting do not pose a serious disease threat.

A person who is subject to this requirement must retain for three years and make available to DATCP specified records, including information about the seed potato supplier, the contract and invoice for seed potatoes planted, and the certification tag for the seed potatoes.

Under the Act, a person who plants potatoes in violation of this certification requirement is subject to a forfeiture of up to \$150 plus up to \$150 for each acre planted, and a person who fails to retain the required records or make these records available to DATCP is subject to a forfeiture of up to \$200.

Effective date: January 1, 2018

Prepared by: Larry Konopacki, Principal Attorney

August 18, 2017

LAK:mcm;ty

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.