



State of Wisconsin
Governor Scott Walker

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

DATE: February 24, 2016

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

FROM: Ben Brancel, Secretary

**SUBJECT: Ch. ATCP 40 - Wisconsin Fertilizer and Related Products; Final Rule
(Clearinghouse Rule #15-045)**

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

CLEARINGHOUSE RULE #: 15-045

SUBJECT: Fertilizer and related materials

ADM. CODE REFERENCE: ATCP 40

DATCP DOCKET #: 14-R-14

We are enclosing a copy of the final rule, as adopted by the Department. 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 update the standards that pertain to the nutrient content of fertilizer. This rule will affect businesses such as farm centers and cooperatives, and manufacturers of nonagricultural and specialty fertilizers. Those businesses that manufacture or otherwise label fertilizers will benefit from this proposed rule because their fertilizer products are less likely to be considered “mislabelled” due to use of a formula that relies upon relative nutrient values based on costs from the 1970s. This rule will benefit farmers by continuing to ensure accurately labeled fertilizer products.

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Comments from Legislative Committees (Summary)

On November 23, 2015, the Department transmitted the above rule for legislative committee review. The rule was assigned to the Assembly Committee on Agriculture and the Senate Committee on Agriculture, Small Business, and Tourism. Neither committee took action. The Senate referred the rule to the Joint Committee for Review of Administrative Rules (JCRAR) on January 8, 2016, and the Assembly referred it to JCRAR on January 11, 2016. JCRAR took no action on the rule.