

Wisconsin Department of Agriculture, Trade and Consumer Protection

Final Regulatory Flexibility Analysis

Rule Subject: Technical Rule
Adm. Code Reference: ATCP 30, 40, 42, 50, 75 Appendix, 90, 91, 92, 93, 94, 105, 127, 134, and 141
Rules Clearinghouse #: 16-012
DATCP Docket #: 15-R-14

Rule Summary

This rule makes minor or technical changes to a number of current Department rules. This rule does all of the following:

Pesticide Use and Control

Removes date references that are no longer necessary and updates cross references to other Department chapters.

Fertilizer and Related Products

Incorporates by reference the most recent edition of the current rule standard concerning fertilizers.

Commercial Feed

Updates the technical standards in the current rule to the most recent versions and reinserts a paragraph that was inadvertently removed during prior rulemaking.

Soil and Water Resource Management Program

Updates several sections to reference the current versions of technical standards.

Wisconsin Food Code Appendix

Corrects a spelling and spacing error.

Fair Packaging and Labeling; Selling Commodities by Weight, Measure or Count; Weights and Measures; Flammable, Combustible and Hazardous Liquids;

- Corrects small grammatical errors.

- Updates the technical references to cite the current National Institute of Standards and Technology (NIST) Handbook and American Society for Testing and Materials (ATSM) fuel standards.
- Amends notes to reference website addresses and form numbers.
- Removes obsolete notes.

Petroleum and Other Liquid Fuel Products

Updates the technical references to cite the current NIST Handbook and ATSM fuel standards and amends notes to reference current website addresses and form numbers.

Sales Below Cost

Corrects a grammatical error.

Direct Marketing

Corrects a grammatical error.

Residential Rental Practices

Removes an obsolete note.

Cherry Marketing Order

Removes a note and set of brackets that were added during previous rulemaking to correct the inadvertent removal of language from a subsection.

Small Business Affected

This rule will not have any impact on small businesses or other business. This rule makes minor technical changes that will not have any impact on business standards, costs, or operations.

Reporting, Bookkeeping and other Procedures

The proposed rule does not create any reporting, bookkeeping, or other requirement for small businesses.

Professional Skills Required

The proposed rule does not require any profession skill of small businesses.

Accommodation for Small Business

This rule has no impact upon small businesses and as a result, no accommodations are needed.

Conclusion

This rule will not have any effect on “small business,” and is not subject to the delayed “small business” effective date provided in s. 227.22(2) (e), Stats.

Dated this _____ day of _____, 2016.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____
Karley Downing, Chief Legal Counsel
Office of the Secretary