

Wisconsin Department of Agriculture, Trade and Consumer Protection

Initial Regulatory Flexibility Analysis

Rule Subject: Grain Dealers and Grain Warehouse Keepers; Milk Contractors; Vegetable Contractors

Adm. Code Reference: ATPCP 99; ATPCP 100; ATPCP 101

Rules Clearinghouse #: Not yet assigned

DATCP Docket #: 16-R-06

Rule Summary

This rule does all of the following:

- Creates an automatic reduction in the Fund assessments by grain dealers when the grain dealer portion of the Fund exceeds the statutory maximum.
- Reduces milk contractor assessments by 20 percent by adding a multiplier.
- Increases vegetable contractor fund assessments.
- Restores the Agricultural Producer Security Fund to meet its statutory obligation.

Small Business Affected

This rule will have a positive impact on grain dealers by reducing fund assessments under Wis. Admin. Code ATPCP 99.126 (2) and (3) if the grain dealer portion of the producer security fund balance exceeds its statutory maximum.

This rule will have a positive impact on milk contractors by reducing their assessments by 20 percent. The Fund will continue to grow but at a slower pace thus ensuring that they pay a fairer share of the cost of the program.

This rule will increase vegetable contractor fund assessments by 0.2% of their contract obligations to producers. By spreading the increase to achieve the statutory minimum over 18 years, this should have minimal impacts on the vegetable contractors.

Record Keeping Requirements

This rule does not present changes to record keeping requirements for any of the businesses. Collections do not change; the amounts will.

Accommodation for Small Business

Many of the businesses affected by this rule are “small businesses.” However, given the subject matter, there are very few accommodations or special exceptions that can be or need to be made for small businesses.

Conclusion

This rule will not have a significant adverse effect on “small business” and is not subject to the delayed “small business” effective date provided in Wis. Stat. § 227.22 (2) (e).