

1987 Assembly Bill 525

Date of enactment: **April 22, 1988**  
Date of publication: **May 2, 1988**

## 1987 Wisconsin Act 357

AN ACT to renumber and amend 94.707 (1); to amend 94.707 (title) and 94.707 (2); and to create 94.707 (1) (c) to (f) and 94.707 (3) of the statutes, relating to prohibiting the distribution, sale or use of any pesticide product containing aldrin, chlordane, dieldrin or heptachlor.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 94.707 (title) of the statutes is amended to read:

**94.707 (title) Distribution and sale of certain pesticides.**

SECTION 2. 94.707 (1) of the statutes is renumbered 94.707 (1) (intro.) and amended to read:

**94.707 (1) PROHIBITION.** (intro.) No person may distribute, sell, offer for sale or use any pesticide product containing any of the following active ingredients:

(a) 2,4,5-trichlorophenoxyacetic acid (2,4,5-T) or:

(b) 2-(2,4,5-trichlorophenoxy) propionic acid (silvex).

SECTION 3. 94.707 (1) (c) to (f) of the statutes are created to read:

94.707 (1) (c) Aldrin.

(d) Chlordane.

(e) Dieldrin.

(f) Heptachlor.

SECTION 4. 94.707 (2) of the statutes is amended to read:

94.707 (2) EXEMPTION. The prohibition under sub. (1) does not apply to a person using or possessing a pesticide product containing ~~2,4,5-trichlorophenoxy acetic acid (2,4,5-T) or 2-(2,4,5-trichlorophenoxy) propionic acid (silvex)~~ any active ingredient under sub. (1) (a) to (f) according to the terms and conditions of an experimental use permit issued under the federal act or rules of the department.

SECTION 5. 94.707 (3) of the statutes is created to read:

94.707 (3) EXISTING STOCKS. (a) No later than 6 months after the effective date of this paragraph .... [revisor inserts date], any person, except a dealer or

distributor, who owned any quantity of a pesticide containing an active ingredient listed in sub. (1) (c) to (f) on the effective date of this paragraph .... [revisor inserts date] shall return or deliver all of that pesticide to the manufacturer or to the dealer or distributor from whom he or she purchased the pesticide.

(b) No later than one year after the effective date of this paragraph .... [revisor inserts date], any dealer or distributor who owned any amount of a pesticide containing an active ingredient listed in sub. (1) (c) to (f) on the effective date of this paragraph .... [revisor inserts date], or who received any such pesticide under par. (a) shall return or deliver all of that pesticide to the manufacturer.

(c) Within 30 days after receiving any pesticide under par. (a) or (b), a dealer, distributor or manufacturer shall pay the person from whom the pesticide was received the amount of money which that dealer, distributor or manufacturer charged that person for the quantity of pesticide received. No payment under this paragraph may exceed the fair market value of the pesticide immediately before the effective date of this paragraph .... [revisor inserts date].