

1989 Senate Bill 176

Date of enactment: **September 1, 1989**  
Date of publication\*: **September 11, 1989**

## 1989 WISCONSIN ACT 52

AN ACT *to amend* 94.707 (3); and *to create* 94.707 (1m) and 94.707 (3) (d) of the statutes, **relating to:** banning certain pesticide products that contain daminozide.

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

**SECTION 1.** 94.707 (1m) of the statutes is created to read:

94.707 (1m) USE OF DAMINOZIDE ON FOOD-PRODUCING PLANTS PROHIBITED. No person may distribute, sell, offer for sale or use any pesticide product containing daminozide as an active ingredient and intended for use on a food-producing plant.

**SECTION 2.** 94.707 (3) of the statutes is amended to read:

94.707 (3) EXISTING STOCKS. (a) No later than 6 months after ~~May 3, 1988~~ the applicable date under par. (d), any person, except a dealer or distributor, who owned any quantity of a pesticide listed in sub. (1m) or containing an active ingredient listed in sub. (1) (c) to (f) on ~~May 3, 1988~~ the applicable date under par. (d) 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 ~~May 3, 1988~~ the applicable date under par. (d), any dealer or distributor who

owned any amount of a pesticide listed in sub. (1m) or containing an active ingredient listed in sub. (1) (c) to (f) on ~~May 3, 1988~~, the applicable date under par. (d) 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 ~~May 3, 1988~~ the applicable date under par. (d).

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

94.707 (3) (d) The applicable dates for sub. (3) are the following:

1. For pesticide products containing the ingredients under sub. (1) (c) to (f), May 3, 1988.
2. For pesticide products containing the ingredient under sub. (1m), February 15, 1990.