



# Fuel “Filtering”/“Polishing”

## Information for Businesses & Service Companies

### BUREAU OF WEIGHTS AND MEASURES

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datcp.wi.gov

### RESOURCES

Wis. Admin. Code ATCP 94:  
[https://docs.legis.wisconsin.gov/code/admin\\_code/atcp/090/94](https://docs.legis.wisconsin.gov/code/admin_code/atcp/090/94)

Wis. Stat. 168:  
<https://docs.legis.wisconsin.gov/statutes/statutes/168>

Contaminated Fuel: Tank Pump Outs fact sheet:  
<https://datcp.wi.gov/Documents/ContaminatedFuel-PumpOuts.pdf>

Some companies offer services to “filter” or “polish” off-spec fuel. Any fuel that is filtered, polished, or otherwise altered, must be sampled, tested, and approved by the Department of Agriculture, Trade and Consumer Protection (DATCP) prior to retail sale. Fuel cannot be sold or offered for sale until it has passed all required tests.

Pump outs of contaminated fuel and fuel blending are not permitted without DATCP supervision. For more information on that, please see our [Contaminated Fuel fact sheet](#).

### Information and requirements for filtered/polished fuel

- No DATCP license is required to filter or polish any petroleum fuel product; however, doing so is entirely at your own risk and fueling facilities are responsible for off-spec fuel sold to consumers.
- Fuel must be lab tested to ensure the fuel meets all specifications required by Wis. Admin. Code ATCP 94 Subchapter II, including octane.
- A DATCP Weights and Measures inspector will collect a sample of the fuel. Fuel samples that have not been collected or witnessed by a DATCP official will not be accepted for testing or approval.
- Fuel sample must pass DATCP Fuel Lab tests. Fuel cannot be sold until it receives passing test results from the DATCP Fuel Lab.
- Tests that cannot be performed by the DATCP lab, such as octane testing, must be conducted by a third-party lab. The fuel owner is responsible for any costs associated with third party lab testing.
- If the fuel sample fails DATCP Fuel Lab testing, the fuel owner will need to obtain passing test results from a third-party lab before requesting any re-sample from the department.
  - Third party lab results must demonstrate that the sample meets the required specifications.
  - Once 3rd party lab passing results are received, the department must sample, test, and pass the fuel before the product can be sold.

### Prohibited Practices

- No person other than a refinery or terminal may deliver, unload, direct, or transfer a fuel product into a storage tank system labeled as containing a dissimilar fuel product unless specifically approved in writing by an inspector.
- No person other than a refinery or terminal may blend fuel in an underground storage tank.
- No person other than a refinery or terminal may transfer a fuel product to any place for retail sale or offer to sell that fuel product if it has been contaminated with a dissimilar product or altered after being tested unless either approved by DATCP or further testing shows the product meets the required specifications.
- Removing a red tag is a violation of Wis. Admin. Code ATCP 94.

Questions? Please contact us at 608-224-4942, option 4, or  
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