

**BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION  
MINUTES**

**November 17, 2022**

The Board of Agriculture, Trade and Consumer Protection (Board) met in the DATCP Boardroom, 2811 Agriculture Drive, Madison, WI 53718 and via zoom on **November 17, 2022**. The meeting was preceded by public notice as required by Wis. Stat. §19.84.

**Call to Order**

Board Chair Miranda Leis called the meeting to order at 9:00 a.m.

**Members Present**

Miranda Leis, Paul Bauer, Andy Diercks, Paul Palmby, Doug Rebout, Dan Smith, and Carla Washington.

Not present: Dr. Clare Hintz, Patty Edelburg

**Minutes**

**Motion**

A motion was made by Doug Rebout and seconded by Paul Bauer to approve the September 22, 2022, Board minutes. Motion was approved unanimously.

**Leopold Award**

Secretary Randy Romanski and Lance Irving, the Leopold Conservation Award Program Director presented the 2022 Leopold Conservation Award to Joe and Christy Tomandl.

**Public Appearances**

The following made public appearances in front of the Board today: Sean Burke.

**ATCP 1 Administrative Orders and Contested Cases  
Office of the Secretary  
Final Rule**

Julie Schmidt, Administrative Rules Coordinator from the Office of the Secretary requested approval of the Final Rule for Wis. Admin. Code ch. ATCP 1, to the Board.

**Motion**

A motion was made by Paul Palmby and seconded by Paul Bauer to approve the Final Rule for Wis. Admin. Code ch. ATCP 1. Motion was approved unanimously.

**ATCP 10 Dog Import Rabies Vaccination  
Division of Animal Health  
Hearing Draft Rule**

Angela Fischer, Policy Analyst from the Division of Animal Health requested approval of the Hearing Draft Rule for Wis. Admin. Code ch. ATCP 10 to the Board.

**Motion**

A motion was made by Doug Rebout and seconded by Paul Palmby to approve the Hearing Draft Rule for Wis. Admin. Code ch. ATCP 10. Motion was approved unanimously.

**ATCP 161, 163 Grants  
Division of Agricultural Development  
Final Rule**

Sharon Henes, Policy Analyst from the Division of Agricultural Development requested approval of the Final Rule for Wis. Admin. Code chs. ATCP 161, 163, to the Board.

**Motion**

A motion was made by Paul Palmby and seconded by Carla Washington to approve the Final Rule for Wis. Admin. Code chs. ATCP 161, 163. Motion was approved unanimously.

**ATCP 90, 91, 92 Fair Packaging and Labeling; Selling Commodities by  
Weight, Measure or Count; and Weights and Measures  
Division of Trade and Consumer Protection  
Scope Statement**

David Woldseth, Policy Analyst from the Division of Trade and Consumer Protection requested approval of a Scope Statement for Wis. Admin. Code chs. ATCP 90, 91, and 92 to the Board.

**Motion**

A motion was made by Paul Bauer and seconded by Doug Rebout to approve the Scope Statement for Wis. Admin. Code chs. ATCP 90, 91, and 92. Motion was approved unanimously.

**ATCP 21, 29, 35 Removal of Obsolete Language  
Division of Agricultural Resource Management  
Hearing Draft Rule and Overview of Programs Administered**

Shahla Werner and Robby Personette presented an overview of the programs administered through ATCP 21, 29 and 35, including plant pests, apiary changes, and the registration of pesticide products.

Jill Hoskins, Policy Analyst from the Division of Agricultural Resource Management requested approval of a Hearing Draft Rule for Wis. Admin. Code chs. ATCP 21, 29, and 35 to the Board.

**Motion**

A motion was made by Doug Rebout and seconded by Paul Palmby to approve the Hearing Draft Rule for Wis. Admin. Code chs. ATCP 21, 29, and 35. Motion was approved unanimously.

**Wisconsin Agricultural Statistics Survey Update  
Greg Bussler**

Greg Bussler, State Statistician from the USDA National Agricultural Statistics Service presented his November 17, 2022 report to the Board on the October Crop Production Report; 2022 Small Grain Summary; Milk Production; Chicken & Eggs; Prices Received; Crop Progress as of November 6, 2022; and other noteworthy items.

**Agricultural Producer Security Update  
Division of Trade and Consumer Protection**

Jeremy McPherson, Bureau Director from the Division of Trade and Consumer Protection presented an agricultural producer security update to the Board. The Department administers an agricultural producer security program under Wis. Stat. ch. 126 which is designed to protect agricultural producers from financial defaults by those purchasing the producer's products.

**Agricultural Enterprise Areas  
Division of Agricultural Resource Management**

Wednesday Coye, Environment Analysis & Review Specialist from the Bureau of Land & Water Resources, presented the Agricultural Enterprise Areas (AEA) and the 2022 Petition Cycle overview to the Board. AEAs are an area of productive agriculture and local communities can voluntarily pursue designation of an AEA by submitting a petition to the Department. On August 10, 2022, the petition evaluation committee recommended to the Secretary the designation of the Stanton Farmland Heritage Preservation AEA in St. Croix County and the Town of Princeton AEA in Green Lake County.

**Agrichemical Management: Online Certification Exam  
Process and EPA State Plan Updates  
Division of Agricultural Resource Management**

Robby Personette, Bureau Director of Agrichemical Management presented an overview of Agrichemical Management online certification exam process and the EPA State Plan updates to the Board. The Bureau's pesticides responsibility includes certifying and licensing pesticide applicators; licensing businesses that manufacture, sell or apply pesticides; operating the Landscape Pesticide Notification Registry; administering agrichemical storage and spill laws; funding some Clean Sweep hazardous waste and prescription drug collections; and enforcing the Worker Protection Standard and other pesticide, feed and fertilizer laws. Its fertilizer responsibilities include licensing the manufacture and distribution of fertilizers; distribution of soil and plant additives and lime; and regulation of fertilizer labeling. Finally, the Bureau's feed authority includes licensing manufacture, labeling and distribution of livestock feed and pet food; and issuing certificates of free sale for feed exports.

### **Q3 Ag Export Highlights**

#### **Division of Agricultural Development Presentation**

Mark Rhoda-Reis, Bureau Director of the International Agribusiness Center, gave the Q3 agriculture export highlights to the Board. Wisconsin's export of food, forestry, and agricultural products reached an all-time high of \$3.94 billion in 2021. YTD Q3 2022 exports are \$3.23 billion which is up 13.6% from the same period in 2021. Wisconsin's top five export markets posted gains in the third quarter, including Canada, China, Mexico, and Korea. Canada and Korea recorded double digit gains. Dairy is up nearly 38%, crops are up over 14%, and meat is down nearly 2%.

#### **Office of the Secretary Report**

Secretary Randy Romanski presented the Office of the Secretary update to the Board on:

- Port Milwaukee Grain shipping out of the Milwaukee port.
- Port Milwaukee staff on water levels in Lake Michigan.
- Food pantry visit in Oshkosh with our partners, Feeding Wisconsin and Feeding America.
- Signed a \$2.94 million cooperative agreement with the U.S. Department of Agriculture's Agricultural Marketing Service to create the Wisconsin Local Food Purchasing Assistance Program.
- Dairy Processor Grants open now through January 30<sup>th</sup>.
- HPAI outbreaks.
- Trips to UW River Falls regarding Humane Handling Institute and Dairy Summit.

#### **Board Member Updates**

The following DATCP Board members commented on industry, business, training and personal agricultural issues that arose since the last Board meeting: Miranda Leis, Paul Bauer, Andy Diercks, Paul Palmby, Doug Rebout, Dan Smith, and Carla Washington.

#### **Future Agenda Items**

Regular updates on Consumer Protection.

Board tours: visit current or prior Leopold Award Winners.

December Board Meeting – cancelled.

#### **Adjournment**

##### **Motion**

A motion to adjourn was made by Andy Diercks and seconded by Paul Palmby. Motion approved unanimously. The Board adjourned at approximately 12:02 p.m.