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ENVIRONMENTAL PUBLIC HEALTH CONSORTIUM

2022 DATCP License Fee Update – effective April 1, 2023

As we continue to integrate the updated Wisconsin Food Code, our department is working to correctly align our license categories to match the Department of Agriculture, Trade and Consumer Protection (DATCP). Our department is an agent of DATCP and by contract, are required to have licensing tiers set forth by the Wisconsin Food Code ATCP 75.

REIMBURSEMENT FEES:

At the end of each license year, our department is required to reimburse DATCP a defined percentage of each license fee issued during the license year. The reimbursement fee was previously set at 10% of each license issued. Earlier this year, our department signed an updated DATCP Agent contract for 07/01/2022 through 06/30/2025. The contract indicated an increase in reimbursement during upcoming license years:

Per the contract:

Starting July 1, 2023, A fee equal to 11% of the applicable state license fee, regardless of the license fee actually charged by the local Agent, if the Agent prepares and submits to the DATCP, by September 30 of that year, an annual self-assessment as required by Wis. Stat. §§ 97.41 and 97.615.

Starting July 1, 2024, A fee equal to 12% of the applicable state license fee, regardless of the license fee actually charged by the local Agent, if the Agent prepares and submits to the DATCP, by September 30 of that year, an annual self-assessment as required by Wis. Stat. §§ 97.41 and 97.615.

We have applied a 12% reimbursement fee to our base fees to have accurate funds to reimburse DATCP and adjusted the license fees on the following fee schedule.

UPDATE AND INCLUSION OF ALL LICENSE TYPES ON FEE SCHEDULE

In the process of fee reconfiguration and in comparison, with our local ordinances and ATCP 75, we added additional fee categories and fees that reflect the accurate license levels that match DATCP statutes and reimbursement. Those licenses are indicated by red font on the fee worksheet.

LATE FEES:

Late fees were recently updated by DATCP in ATCP 75. Previously, late fees were \$85.00 for all license categories, regardless of complexity level. With the most recent ATCP 75 update, DATCP has tiered the applicable late fee to be more reasonable to the license level complexity for retail food establishment licenses. Our department has adopted those adjusted late fees for retail food establishments, and the recreational establishment late fees that are dictated by their applicable codes.

Late fees are assessed if payment for license renewals is received after July 1.

INSPECTION FEE FOR TRANSIENT/MOBILE LICENSES OPERATING IN WATERTOWN/JEFFERSON CO.

Throughout the license year, our jurisdiction sees many transient or mobile retail food establishments with licenses issued by other jurisdictions. Per our DATCP contract, our department is allowed to inspect all licensed establishments operating in our jurisdictions and can charge an inspection fee:

An inspection fee may be charged by any Agent program conducting an inspection on a mobile retail food establishment unit licensed by another jurisdiction. The fee shall be based on the reasonable cost to conduct the inspection.

Previously, DATCP would license any transient or mobile retail food establishment that operated in multiple jurisdictions. Over the past two license years, DATCP has transferred the licensing of transient or mobile retail food establishment licenses from DATCP to agent health departments where the licensee is based out of service base location or mailing address of licensee. Transient or mobile retail food establishments are more reliably having a routine inspection completed by their licensing agent health department. Many establishments are inspected not only by their licensing agent health department, but other local health departments throughout the year, resulting in dozens of inspections throughout Wisconsin.

Our department feels that establishments, being constantly inspected, and the amount of time needed to complete a transient or mobile retail food inspection, we have decreased our inspection fee from \$50 to \$20. We feel it is still enough to cover the cost of doing the inspection.