

Chapter ATCP 160

Subchapter I — General Requirements and Definitions

ATCP 160.01 Definitions. As used in this chapter:

- (1) "Breed class" and "breeding class" mean a specific breed within a class such as Holstein in the dairy class.
- (2) "Class" means a grouping in which exhibits may be entered, including an animal breed or age group for animal exhibits; a type of produce, crop or food; or a specific age, age group or educational grade level of exhibitor.
- (3) "Danish judging system" means a judging system that allows for multiple first, second, third and fourth class selections as provided in s. [ATCP 160.91 \(4\) \(b\)](#).
- (4) "Department" as it relates to the organizational structure of a fair, means an animal species, production group, or other principal classification of exhibits. As used in any other context, "department" means the state of Wisconsin department of agriculture, trade and consumer protection.
- (5) "Division" means one of 3 exhibitor group classifications for a fair and is limited to junior division, open division and senior citizens division.
- (6) "Entry class" means a class in which the fair allows exhibitors to submit entries.
- (7) "Exotic domestic animal" means an animal that is not a common farm animal.
- (8) "Lot" or "lot number" means the numerical designation assigned by a local fair for a specific category of exhibits within a class.
- (9) "Market class" means a class that includes animals of a certain weight for the breed class that can be sold for slaughter.
- (10) "Premium" means a monetary prize that a county or district fair awards to an exhibitor after judging all competing exhibits in the class to which the premium pertains.
- (11) "Regular judging system" means a judging system that allows for one first, second, third and fourth class selection as provided in s. [ATCP 160.91 \(4\) \(c\)](#).
- (12) "Self determined project" means a project that meets all of the following criteria:
 - (a) It is approved by the fair board.
 - (b) Its subject matter is related to any of the junior fair departments 9, 10, 13 to 16, 18, or 20 to 29.
 - (c) It does not fall into a defined entry class within any department.
 - (d) It is carried out by a 4-H member enrolled in a designated 4-H project or alternative project that

follows 4-H guidelines, or by a member of another youth organization that does equivalent work.

History: Cr. [Register, November, 1990, No. 419](#), eff. 12-1-90; cr. (5), [Register, July, 1995, No. 475](#), eff. 8-1-95; [CR 11-037](#): renum. (1) to (5) to be (2), (4), (5), (8), (10), cr. (1), (3), (6), (7), (9), (11), (12) [Register April 2012 No. 676](#), eff. 5-1-12.

ATCP 160.02 Premium requirements.

(1) GENERAL.

(a) The state aid authorized by s. [93.23 \(1\)](#), Stats., may be paid on net premiums paid by a county or district fair. The department may withhold state premium aid from any fair that does not enforce animal health provisions under ch. [ATCP 10](#) that are applicable to animals exhibited at the fair. State aid will be paid only on premiums actually paid by bank check or draft.

(b) No deductions may be made from premium money won by an exhibitor. Premiums may, however, be withheld where exhibition rules established by the fair association are violated. A written statement of violation shall be submitted to the department to justify action taken by a local fair.

(c) Premiums offered shall be definite in amount. No decrease or increase in published premiums may be made because of the financial condition or the organization or for any other reason.

(d) State aid may be paid on no more than 2 premiums awarded an exhibitor under one premium or lot number in open division individual livestock classes, except poultry and rabbits, and no more than one premium in all other classes, including poultry and rabbits.

(e) No county or district fair may receive state aid for a premium awarded to any exhibitor in the open division if that exhibitor entered the same exhibit in the junior division at the same county or district fair. This paragraph does not apply if the exhibit was entered in the junior division only as part of a herd group, carcass class or performance class.

(f) No state aid will be paid on the cost of ribbons, cups, trophy prizes or entertainment contests.

(2) PREMIUM LISTS.

(a) Premiums for which state aid is requested by county and district fairs shall conform with the uniform premium list and other requirements set forth in these rules. Fairs requesting state aid for net premiums shall submit to the department a printed copy of the premium list used at the fair, as required under s. [ATCP 160.92 \(3\) \(c\)](#).

(b) The officers of each fair shall mail a copy of the premium list to other associations, societies, or boards conducting a fair in Wisconsin upon request.

(c) Sections [ATCP 160.01](#) through [160.07](#) and [160.91](#) shall be

published in premium books used by a fair for which state aid is requested.

(3) ENTRY FEES.

- (a) A county or district fair may charge an exhibitor an entry fee. The entry fee may not exceed 10% of the sum of all premiums offered to exhibitors in the same class for which the entry fee is charged. In lieu of an entry fee, a county or district fair may charge stall rents for horses, cattle, sheep, goats, swine, poultry, rabbits or pets.
- (b) Exhibitors in department 35 shall not be required to purchase an exhibitor's ticket. Any other exhibitor may be required, if no entry fee is charged, to purchase an exhibitor's season ticket at a price not to exceed that charged for a non-exhibitor's season ticket.

(4) SPLIT FAIR DATES.

- (a) For purposes of this subsection, "split fair dates" occur when a fair organization judges exhibits or contests and pays premiums at more than one time or at more than one location during the calendar year.
- (b) Except as provided under par. (c), the department may not pay state aid for a fair having split dates unless the department gives advance written approval for a split fair. The department may approve split fair dates only if the fair organization justifies the split dates based on extreme hardship. If the department approves split dates, all blue ribbon winners shall repeat their demonstrations or exhibits at the regular fair dates unless the department grants a hardship exemption. An exhibitor may use audio-visual media, still photography or an educational display to repeat a demonstration or exhibit.
- (c) The department may pay state aid for the following exhibits or contests in a fair having split dates, regardless of whether the department approves those split dates in advance:

- 1. Clothing revue.
- 2. Demonstrations.
- 3. Favorite foods revue.
- 4. Dogs.
- 5. Small animals.
- 6. Rocketry.
- 7. Shooting sports.
- 8. Other exhibits and contests that are similar to those identified in subs. 1. to 7.

History: Cr. [Register, November, 1990, No. 419](#), eff. 12-1-90; r. and recr. (1) (e) and am. (3) (a), [Register, July, 1995, No. 475](#), eff. 8-1-95; r. and recr. (4), [Register, November, 2000, No. 539](#), eff. 12-1-00; correction in (2) (a) made under s. 13.93 (2m) (b) 7., Stats., [Register, November, 2000, No. 539](#); [CR 08-075](#); am. (1) (a) [Register April 2009 No. 640](#), eff. 5-1-09; [CR 11-037](#); am. (1) (a), (3) (a), (b), cr. (4) (c) 8. [Register April 2012 No. 676](#), eff. 5-1-12.

ATCP 160.03 Exhibition requirements. A county or district fair shall meet all of the exhibition requirements of this section to be eligible for state premium aid.

- (1) No fair society or other organization sponsoring a county or district fair shall require an exhibitor to become a member of the organization in order to enter an exhibit at the fair, nor shall the sponsoring organization make any deduction from an exhibitor's premium as a donation to the fair society, or require an exhibitor in any other way to make a donation to the society.
- (2) State aid may not be approved for out-of-state exhibits or for separate classes of local and non-local exhibitors. Aid may not be approved for payment of premiums to an exhibitor having an out-of-state address but claiming Wisconsin residency unless the fair secretary provides the department with an affidavit that the exhibitor's residence is geographically located within the state.
- (3) State aid may be paid only on articles or animals actually on display in an exhibit building or actually shown in the show ring on regular fair dates unless approval for split fair dates is obtained under s. [ATCP 160.02 \(4\)](#). State aid may not be paid on Dairy Herd Improvement Association records, transportation aid, production contests or other special educational exhibits unless prior approval is obtained under s. [ATCP 160.04 \(8\)](#).
- (4) State aid may not be paid on exhibits removed from the fairgrounds before 4 p.m. of the last day of the fair, or such other later time as may be specified by the fair, without prior approval of the department. Authority for earlier removal may be granted by the department in case of meat animal sales or other special classes, if requested before the beginning of the fair. In other hardship cases, approval may be granted by the local fair. Exhibits in dog obedience and small animal pet classes may be judged during the regular fair but are not required to remain present during the entire fair. The local fair may prescribe the length of time junior fair exhibitors of horses shall keep their animals on the grounds.

History: Cr. [Register, November, 1990, No. 419](#), eff. 12-1-90.

ATCP 160.04 Junior fair division; general.

- (1) In the junior fair division, the department may pay state aid on prizes offered to exhibitors who are under 20 years of age on January 1 of the current fair year. A county or district fair board may establish subgroups within a junior fair entry class based on the exhibitor's grade in school. The department may not pay state aid on prizes for club

parades, club floats, song contests, or a project which is not an exhibit or demonstration at the fair.

- (2) All exhibitors in the junior fair division shall be members of 4-H, FFA, a scouting program, a breed group, or another recognized youth organization under adult leadership that has an education program appropriate to that organization and is approved by the fair board.
- (3) Exhibits in the junior fair shall be the product of the exhibitor's own labor. An exhibit may include a study project, merit project or other special project, a skill area, or a supervised occupational experience in which the exhibitor is regularly enrolled, provided that the fair board approves the project, skill area, or supervised occupational experience as an exhibit.
- (4) State aid may not be used to award more than one premium to any exhibitor in any department in the junior fair division, except that:
 - (a) A premium may be awarded to each member of a group that collectively owns and enters a livestock exhibit in departments one to 5 of subch. [IV](#).
 - (b) An exhibitor may receive a separate premium for showmanship where authorized under subch. [IV](#).
 - (c) An exhibitor may receive more than one premium in a department for which additional premiums are specifically authorized under subch. [IV](#).
- (5) Under subch. [IV](#), within each of the junior fair departments 9, 10, 13 to 16, 18, and 20 to 29, a fair board may establish one or more entry classes for self-determined projects that are related to that department. The fair board may establish class entry criteria, including student grade level criteria. Entry classes are open to 4-H members enrolled in a designated 4-H project or an alternative project that follows 4-H project guidelines, and to members of other youth organizations that do equivalent work and apply equivalent guidelines. Exhibits may be judged using the regular or Danish judging system. For each entry class, a fair board may pay first-place to fourth-place premiums at any of the following levels designated by the board:
 - (a) Premium level one: \$2.00, \$1.75, \$1.50, \$1.25.
 - (b) Premium level 2: \$2.50, \$2.25, \$2.00, \$1.75.
 - (c) Premium level 3: \$3.00, \$2.75, \$2.50, \$2.25.
- (6) If 16 or more animals, items or articles are entered in any junior fair class, the class may be divided into 2 or more approximately equal groups according to weight, age or other identifying characteristic and each group judged as a class.
- (7) Special educational exhibits may [be] established if the proposal is presented to the Wisconsin association of fairs before October 1 of the year

preceding its proposed establishment and the exhibit is approved by the department.

- (8) Within any junior fair department under subch. [IV](#), a county or district fair may establish special classes where none are specified under subch. [IV](#). Special classes may include classes for grade and crossbred females in the beef, swine, sheep and horse departments. Premiums for special classes created under this subsection shall be equal to premiums for comparable classes established in the same department under subch. [IV](#).

History: Cr. [Register, November, 1990, No. 419](#), eff. 12-1-90; am. (8), [Register, July, 1995, No. 475](#), eff. 8-1-95; am. (1), [Register, November, 2000, No. 539](#), eff. 12-1-00; reprinted to correct printing error in (1), [Register, June, 2001, No. 546](#); [CR 11-037](#): am. (title), (2), (3), r. and recr. (4), renum. (5) to be 160.80 (4) and am., cr. (5) [Register April 2012 No. 676](#), eff. 5-1-12.

ATCP 160.05 Open division; general requirements.

- (1) The total maximum premiums set forth for all places in any open division livestock class, excluding poultry and rabbits, may be divided into premiums for a greater number of places, but the maximum premium offered for any additional place shall not be higher than the maximum for last place in the class.
- (2) All animals in any open division class shall be owned by the exhibitor, except as provided in s. [ATCP 160.09](#).

History: Cr. [Register, November, 1990, No. 419](#), eff. 12-1-90; [CR 11-037](#): r. (2), renum. (3) to be (2) [Register April 2012 No. 676](#), eff. 5-1-12.

ATCP 160.06 Senior citizens division; general requirements.

- (1) The age of exhibitors in the senior citizens division is limited to persons 62 years of age or over.
- (2) Exhibitors in the senior citizens division may not enter identical items or articles in both the senior citizens division and the corresponding classes of the regular open division.

History: Cr. [Register, November, 1990, No. 419](#), eff. 12-1-90.

ATCP 160.07 Classes; general requirements.

- (1) Classes may be combined if the number of entries in several single classes is insufficient. If any classes are combined, state aid shall be limited to the maximum total premiums listed for a single class of animals, items or articles in that department.
- (2) (a) Except as provided under par. (b), no county or district fair may receive state aid for premiums awarded for sexually intact male dairy cattle, beef cattle, sheep, goats, swine or horses unless those animals are registered purebreds. Registered purebred status shall be documented by a certificate of registry

from the appropriate breed association or society, or by a copy of the application for registration.

- (b) Paragraph (a) does not apply to dairy cattle exhibited at a county or district fair if a national breed association certifies that those dairy cattle are recorded in that breed association's qualified herd book which records the genealogy of that breed.
- (3) Any animal entered as part of a group class may also be exhibited in a class for individual animals.
- (4) Boars may not be entered as an exhibit in the swine department unless their tusks have been removed.
- (5) The age of an animal, for purposes of determining its entry class under this chapter, shall be determined as of the opening day of the fair.

History: Cr. [Register, November, 1990, No. 419](#), eff. 12-1-90; renum. and am. (2) to be (2) (a) and cr. (2) (b), [Register, July, 1995, No. 475](#), eff. 8-1-95; [CR 11-037](#): cr. (5) [Register April 2012 No. 676](#), eff. 5-1-12.

Subchapter V — Judging and Accounting

ATCP 160.91 Judging regulations.

- (1) Judging shall be done at county and district fairs by individuals who are registered with the department and who have knowledge, training or experience in the specific class or classes to be judged as determined by the department. Judging shall be done in accordance with the requirements of s. [ATCP 160.92 \(3\) \(a\)](#). In no case shall any person who is an officer or director of a fair be eligible to judge exhibits at such fair; nor shall any person interested directly or indirectly in exhibits shown in any department of a fair be eligible to judge articles or animals in that department.
- (2) Each judge at a county or district fair shall be provided with a copy of the fair's premium book or list of entry classes at least 7 days prior to the opening date of the fair.
- (3) No animal or article, irrespective of the number of entries in the class in which it is entered, shall be awarded a higher rating than its merit would entitle it to in comparison to the standard of perfection in the class.
- (4)(a) No state aid will be paid on premiums awarded under the Danish system in any classes except in the junior and educational departments.
- (b) When classes in the junior and educational departments are judged according to the Danish system, 4 group placings shall be awarded in any class. When there are less than 8 exhibitors in the class, there shall not be more than 2 in the first group, not more than 4 in the first 2 groups and not more than 6 in the first 3 groups. If there are 8 or more entries in the class, there shall not be more than 25% in the first group, not more than 50% in the first 2 groups, and not more than 75% in the first 3 groups.

- (c) The number of awards in the last group placing may be increased to the extent necessary to give awards to all exhibitors.
- (5) If any class of exhibits at a county or district fair is judged according to the regular system, the judges for that class may give only one first-place, one second-place, one third-place and one fourth-place award in that class.

History: Cr. [Register, April, 1976, No. 244](#), eff. 5-1-76; am.

- (1), [Register, March, 1980, No. 291](#), eff. 4-1-80; renum. from Ag 5.07, [Register, November, 1990, No. 419](#), eff. 12-1-90; am. (2), and cr. (5), [Register, July, 1995, No. 475](#), eff. 8-1-95.