

AGRICULTURE, TRADE & CONSUMER PROTECTION

Chapter ATPC 160

COUNTY AND DISTRICT FAIRS

SUBCHAPTER I

GENERAL REQUIREMENTS AND DEFINITIONS

ATCP 160.01 DEFINITIONS. As used in this chapter:

(1) "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.

(2) "Department" as it relates to the organizational structure of a fair, means an animal species, production group, or other principle classification of exhibits. As used in any other context, "department" means the state of Wisconsin Department of Agriculture, Trade and Consumer Protection.

(3) "Division" means one of three exhibitor group classifications for a fair and is limited to junior division, open division and senior citizens division.

(4) "Lot" or "lot number" means the numerical designation assigned by a local fair for a specific category of exhibits within a class.

(5) "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.

ATCP 160.02 PREMIUM REQUIREMENTS. (1) GENERAL. (a) The state aid authorized by s. 93.23(1), Stats., may be paid only on net premiums, which consist of total premiums paid less total entry fees received. The department may withhold state premium aid from any fair which does not enforce the animal health provisions required under ch. ATPC 10 for all classes of livestock 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 of 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 class 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. ATPC 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 ATPC 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. Stall rents shall not exceed \$1.50 per single stall or animal or \$3.00 per box stall for horses; \$1.00 per single stall or animal or \$2.00 per box stall for cattle; or \$0.50 per animal or \$2.00 per pen for swine, goats or sheep. A standard pen for swine, goats or sheep is approximately 64 square feet. Cage rents may not exceed \$0.50 per head for poultry, rabbit or pet exhibits.

(b) Exhibitors in educational and school departments 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:

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| 1. Clothing revue | 5. Small animals |
| 2. Demonstrations | 6. Rocketry |
| 3. Favorite foods revue | 7. Shooting Sports |
| 4. Dogs | |

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. ATPC 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. ATPC 160.04 (8).

(4) State aid may not be paid on exhibits removed from the fair grounds 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.

ATCP 160.04 JUNIOR FAIR DIVISION: GENERAL REQUIREMENTS.

(1) Eligibility. 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 fair entry

class based on the exhibitor's grade level in school. The department may not pay state aid on prizes for club parades, club floats, song contests, or project which in not an exhibit or demonstration at the fair.

(2) All exhibitors in the junior fair division shall be members of 4-H, FFA, FHA-HERO, Scouting programs, breed groups, or any other recognized youth organization under adult leadership and with an education program approved by the local fair.

(3) Exhibits in the junior fair shall be a result of the exhibitor's own labor and may include a study, merit, or other special project, a skill area or a supervised occupational experience in which the exhibitor is regularly enrolled.

(4) State aid may be used for the payment of no more than one premium awarded an exhibitor under any one premium or lot number in the junior fair division, except when awarded as part of a group in livestock exhibits or in showmanship.

(5) Premiums in the educational department shall be paid directly to the exhibitor who made the exhibit and not to the school or teacher, except for group premiums offered to interschool competitive classes. No aid may be paid on education department premiums unless a complete list of exhibitors and a complete set of judges' sheets for the education department, similar to those required in other departments, is filed with the department. All educational exhibits shall be displayed at the fair regardless of whether they are judged prior to or at the fair.

(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.

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) State aid for premiums awarded for horses in open division classes shall be limited to horses which are owned by the exhibitor.

(3) All animals in any open division class shall be owned by the exhibitor, except as provided in s. ATCP 160.09.

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 in the corresponding classes of the regular open division.

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 cattle are recorded in breed association's qualified herd book which records 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.

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 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.