

2005 DRAFTING REQUEST

Bill

Received: **06/30/2005**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Sondy Pope-Roberts (608) 266-3520**

By/Representing: **Lori Youngman**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters: **jkuesel**

Subject: **State Govt - procurement
Education - school boards
Higher Education - tech. college**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.PopeRoberts@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Preference in purchasing meat products

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 07/11/2005	kfollett 08/11/2005		_____			S&L
/1	pgrant 10/20/2005	kfollett 10/27/2005	chaugen 08/11/2005	_____	Inorthro 08/11/2005		S&L
/2			rschluet 10/28/2005	_____	lemery 10/28/2005	sbasford 11/02/2005	

FE Sent For:

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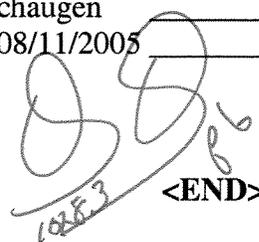
Instructions:

See Attached

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/1			chaugen 08/11/2005	_____	Inorthro 08/11/2005		

FE Sent For:



08/11/2005

<END>

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1/? 11	pgrant jkuesel 7/27/05	1/1 GF 8/1/05	ch 8-11	ch 8-11 SF			

FE Sent For:

<END>

Grant, Peter

From: Youngman, Lori
Sent: Thursday, June 30, 2005 10:19 AM
To: Grant, Peter
Subject: Nontherapeutic use of antibiotics

<http://janus.state.me.us/legis/LawMakerWeb/externalsiteframe.asp?ID=280016078&LD=1126&Type=1&SessionID=6>

Peter,

I have attached the link to the Maine legislation LD 1126 that Sony would like drafted for Wisconsin.

Please call if you have any questions.

Thank you.

Lori Youngman
Office of State Rep. Sony Pope-Roberts
209 North, State Capitol
608-266-3520

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA c. 8-A, as amended, is further amended by repealing the chapter headnote and enacting the following in its place:

CHAPTER 8-A

FOOD POLICY

Sec. 2. 7 MRSA §211, as enacted by PL 1983, c. 608, §2, is amended by adding at the end a new paragraph to read:

It is the policy of the State to discourage the nontherapeutic use of antibiotics in animal agriculture. State institutions and school districts shall inform suppliers of chicken, turkey, beef or pork products of their preference for purchasing products that have been produced without nontherapeutic use of antibiotics and make purchasing decisions in accordance with this chapter.

Sec. 3. 7 MRSA §212, as amended by PL 1989, c. 443, §18 and PL 2003, c. 20, Pt. 00, §2 and affected by §4, is repealed.

Sec. 4. 7 MRSA §212-A is enacted to read:

§212-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Antibiotic. "Antibiotic" means a substance of natural or synthetic origin that kills or inhibits the growth or multiplication of bacteria. "Antibiotic" includes, but is not limited to, the following classes: penicillins, tetracyclines, macrolides, lincosamides, streptogramins, aminoglycosides and sulfonamides. "Antibiotic" does not include ionophores or other compounds directed against fungi, parasites or viruses.

2. Antibiotics used in human medicine. "Antibiotics used in human medicine" means any antibiotic belonging to the following classes of compounds approved for use in human medicine: penicillins, tetracyclines, macrolides, lincosamides, streptogramins, aminoglycosides and sulfonamides.

3. Broker or wholesaler. "Broker or wholesaler" means a person representing an enterprise, either for profit or nonprofit, whose objective is to purchase or collect available supplies of food from food producers for subsequent distribution to state institutions, school districts and other food businesses.

4. Disease therapy. "Disease therapy" means the use of antibiotics, under the direction of a veterinarian licensed in this State, for treating an animal with an established disease or illness. "Disease therapy" does not include the use of antibiotics beyond the period needed for treatment of the disease or illness.

5. Fluoroquinolone antibiotics. Fluoroquinolone antibiotics means any of a group of fluorinated derivatives of quinolone that are used as antibacterial drugs, including enrofloxacin.

6. Maine food producer. "Maine food producer" means any person who is a resident farmer or fisherman, or an association of farmers or fishermen in a cooperative or producer group.

7. Nonroutine disease prevention. "Nonroutine disease prevention" means the use of antibiotics when it can be shown that a particular disease is present on the premises or is likely to occur because of a specific situation.

8. Nontherapeutic use. "Nontherapeutic use" means the administration of antibiotics to an animal or a group of animals for purposes other than disease therapy or nonroutine disease prevention.

9. State or school purchaser. "State or school purchaser" means any person who purchases foodstuffs for any state institution or agency, the community colleges or the school districts of this State.

Sec. 5. 7 MRSA §216 is enacted to read:

§216. Implementation of state policy on meat procurement

A state or school purchaser shall comply with this section.

1. Notification to brokers or wholesalers. State or school purchasers shall inform brokers or wholesalers of chicken, turkey, beef or pork products seeking to do business with the state or school of purchasing preferences for products that have been produced without nontherapeutic use of antibiotics, particularly antibiotics used in human medicine.

2. Preference in purchasing chicken products. This subsection governs preference in purchasing chicken products by a state or school purchaser:

A. A state or school purchaser shall purchase chicken products only from a broker or wholesaler who annually

submits an affidavit to the purchaser stating that the chicken products being supplied to the state or school purchaser have been produced without the use of fluoroquinolone antibiotics; and

B. Notwithstanding any other provision of law and assuming reasonable similarity in quality, quantity, availability and price with other chicken products offered for sale, a state or school purchaser shall purchase chicken products only from a broker or wholesaler who annually submits an affidavit to the purchaser stating that the chicken products being supplied to the state or school purchaser have been produced without nontherapeutic use of antibiotics used in human medicine.

3. Preference in purchasing turkey products. Notwithstanding any other provision of law and assuming reasonable similarity in quality, quantity, availability and price with other turkey products offered for sale, a state or school purchaser shall purchase turkey products only from a broker or wholesaler who annually submits an affidavit to the purchaser stating that the turkey products being supplied to the state or school purchaser have been produced without the use of fluoroquinolone antibiotics and nontherapeutic use of antibiotics used in human medicine.

4. Preference in purchasing beef and pork products. Notwithstanding any other provision of law and assuming reasonable similarity in quality, quantity, availability and price with other beef or pork products offered for sale, state or school purchasers shall purchase beef and pork products only from a broker or wholesaler who annually submit an affidavit to the purchaser stating that beef and pork products being supplied to the state or school purchaser have been produced without nontherapeutic use of antibiotics used in human medicine.

5. Encourage minimal use. State or school purchasers shall work with Maine food producers and brokers and wholesalers to encourage minimal use for any purpose of antibiotics in animals raised for food to be consumed by humans.

SUMMARY

This bill inserts a policy statement in Maine statutes to discourage the nontherapeutic use of antibiotics in animals raised for food. It requires persons purchasing meat for Maine state institutions and Maine schools to notify brokers or wholesalers of this policy and to give preference in buying to those who can supply meat from animals that have not been given antibiotics for other than therapeutic reasons.

2005

Date (time) needed

8/11

LRB - 330611

BILL

Per JTK: kjf

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . . of the statutes; relating to: the purchase of chicken, turkey, beef, and pork products by state agencies, school districts, and technical college districts.

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

- For the main heading, execute: create -> anal: -> title: -> head
For the subheading, execute: create -> anal: -> title: -> sub
For the sub-subheading, execute: create -> anal: -> title: -> sub-sub

For the analysis text, in the component bar:

- For the text paragraph, execute: create -> anal: -> text

(attached)

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.

Ins A:1
Ins A
Ins (B)

INS A

SEC. CR. ~~118.065~~ 38.42

38.42 ~~118.065~~ Purchasing meat products. ↗

no# (1) In this section:

(a) "Antibiotics" means substances that

→ kill ^{or} inhibit the growth ^{or} multiplication of bacteria, including penicillins, tetracyclines, macrolides, lincosamides, streptogramins, aminoglycosides, and sulfonamides, but excluding ionophores or other compounds directed against fungi, parasites, ^{or viruses} or viruses.

(b) "Antibiotics used in human medicine"

→ means antibiotics that belong to any of the following classes of compounds approved for use in human medicine: penicillins, tetracyclines, macrolides, lincosamides, streptogramins, aminoglycosides, ^{or} sulfonamides.

(c) "Broker ^{or} wholesaler" means a person who purchases ^{or} collects foods ^{from} food producers for subsequent ^{sale} distribution to ^{technical college} school districts.

Can copy text from 16.70 (1m)

copy from 16.70 (1n)

Copy text from 16.70 (3h)

(e) "Disease therapy" means the use of antibiotics under the direction of a veterinarian to treat an animal with a disease or illness, but excludes the use of antibiotics beyond the period needed for treatment of the disease ^{or} illness.

Copy text from 16.70 (4c)

(f) "^{alone} Fluoroquinolone antibiotics" means any \rightarrow of a group of fluorinated derivatives of quinolone that ^{are} are used as antibacterial drugs, including enrofloxacin.

Copy text from 16.70 (3g)

(d) "~~Non~~ ^{non}routine Disease prevention" means the ^{nonroutine} use of antibiotics to prevent disease in ^{an} animal when the disease is present on the premises ^{of the animal} or is likely to occur because of a specific situation. _{in the animal}

(g) "Nontherapeutic ^{use} use" means the administration of antibiotics to an animal

for purposes other than disease ^{prevention} therapy
or ~~infectious~~ disease ^{therapy} prevention.

(2) A ~~school~~^{district} board shall purchase chicken products only from a broker ^{or} wholesaler who annually submits an affidavit ^{to} the ~~school~~^{district} board stating that the chicken products ^{being} supplied ^{to} the ~~school~~^{district} have been produced without the use of fluoroquinolone antibiotics.

(3) Assuming reasonable similarity in the quality, quantity, availability, and price to other chicken, beef, or pork products offered for sale, a ~~school~~^{district} board shall purchase chicken, beef, and pork products only from a broker ^{or} wholesaler who annually submits an affidavit ^{to} the ~~school~~^{district} board stating that the chicken, beef, or pork products ^{being} supplied to the ~~school~~^{district} have

been produced without the nontherapeutic use of antibiotics used in human medicine.

(3)
(4) Assuming reasonable similarity in the quality, quantity, availability, and price to other turkey products offered for sale, a ~~school~~ ^{district} board shall purchase turkey products only from a broker ^{or} wholesaler who annually submits an affidavit to the ~~school~~ ^{district} board stating that the turkey products being supplied to the ~~school~~ ^{district} have been produced without the use of ^{fluoroquinolone} ~~fluoroquinolone~~ ^{and} ~~and~~ ^{and} without the nontherapeutic use of antibiotics in human medicine.

(5) A ~~school board~~ ^{district} shall inform brokers and
wholesalers of chicken, turkey, beef, ^{or} pork products
^{seek}
who seek to do business with the ~~school~~ district
of the provisions of this section.

SEC. CR; 118.065

(B)

118.065 Purchasing meat products

note (1) In this section:
(B)

(a) "Antibiotics" means substances that kill or inhibit the growth or multiplication of bacteria, including penicillins, tetracyclines, macrolides, lincosamides, streptogramins, aminoglycosides, and sulfonamides, but excluding ionophores or other compounds directed against fungi, parasites, or viruses.

(b) "Antibiotics used in human medicine"

means antibiotics that belong to any of the following classes of compounds approved for use in human medicine: penicillins, tetracyclines, macrolides, lincosamides, streptogramins, aminoglycosides, or sulfonamides.

(c) "Broker or wholesaler" means a person

who purchases or collects foods from food producers for subsequent sale or distribution to school districts.

copy from 38.42



(e) "Disease therapy" means the use of antibiotics under the direction of a veterinarian to treat an animal with a disease or illness, but excludes the use of antibiotics beyond the period needed for treatment of the disease or illness.

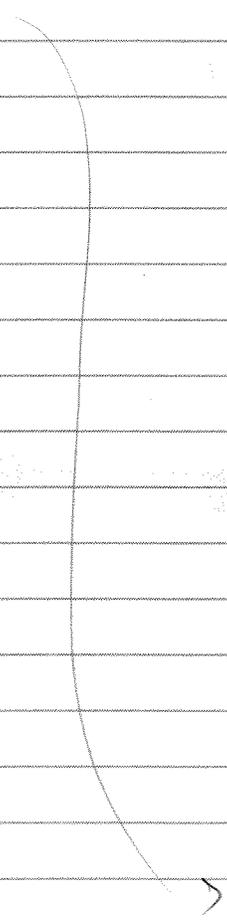
(f) "Fluoroquinolone antibiotics" means any of a group of fluorinated derivatives of quinolone that are used as antibacterial drugs, including enrofloxacin.

(d) "~~Non~~routine Disease prevention" means the nonroutine use of antibiotics to prevent disease in an animal when the disease is present on the premises or is likely to occur because of a specific situation.

(g) "Nontherapeutic use" means the administration of antibiotics to an animal

for purposes other than disease ^{prevention} therapy
or ~~noncurative~~ disease ^{therapy} prevention.

(1)



UPS:
Don't copy these - different text

(2) A school board shall purchase chicken products only from a broker or wholesaler who annually submits an affidavit to the school board stating that the chicken products being supplied to the school district have been produced without the use of fluoroquinolone antibiotics.

(3) Assuming reasonable similarity in the quality, quantity, availability, and price to other chicken, beef, or pork products offered for sale, a school board shall purchase chicken, beef, and pork products only from a broker or wholesaler who annually submits an affidavit to the school board stating that the chicken, beef, or pork products being supplied to the school district have

been produced without the nontherapeutic use of antibiotics used in human medicine.

(4) Assuming reasonable similarity in the quality, quantity, availability, and price to other turkey products offered for sale, a school board shall purchase turkey products only from a broker ^{or} wholesaler who annually submits an affidavit to the school board stating that the turkey products being supplied to the school district have been produced without the use of ^{no one} fluoroguanidone antibiotics and without the ^{nontherapeutic} use of antibiotics used in human medicine.

(5) A school board shall inform ^{brokers} brokers and
wholesalers of chicken, turkey, beef, or pork products
to do
who seek to do business with the school district
of the provisions of this section.

~~ANS B~~

End!

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3306/lins
JTK.....

JWS A.1

SECTION 1. 16.70 (1m) of the statutes is created to read:

16.70 (1m) "Antibiotics" means substances that kill or inhibit the growth or multiplication of bacteria, including penicillins, tetracyclines, macrolides, lincosamides, streptogramins, aminoglycosides, and sulfonamides, but excluding ionophores or other compounds directed against fungi, parasites, or viruses.

SECTION 2. 16.70 (1n) of the statutes is created to read:

16.70 (1n) "Antibiotics used in human medicine" means antibiotics that belong to any of the following classes of compounds approved for use in human medicine: penicillins, tetracyclines, macrolides, lincosamides, streptogramins, aminoglycosides, or sulfonamides.

SECTION 3. 16.70 (3g) of the statutes is created to read:

16.70 (3g) "Disease prevention" means the nonroutine use of antibiotics to prevent disease in an animal when the disease is present on the premises of the animal or is likely to occur in the animal because of a specific situation.

SECTION 4. 16.70 (3h) of the statutes is created to read:

16.70 (3h) "Disease therapy" means the use of antibiotics under the direction of a veterinarian to treat an animal with a disease or illness, but excludes the use of antibiotics beyond the period needed for treatment of the disease or illness.

SECTION 5. 16.70 (4e) of the statutes is created to read:

16.70 (4e) "Fluoroquinolone antibiotics" means any of a group of fluorinated derivatives of quinolone that are used as antibacterial drugs, including enrofloxacin.

SECTION 6. 16.70 (9m) of the statutes is created to read:

INS A:2

16.70 (9m) "Nontherapeutic use" means the administration of antibiotics to an animal for purposes other than disease prevention or disease therapy.

2005 Wisconsin Act 25

SECTION 7. 16.75 (1) (a) 1. of the statutes *is* amended to read:

16.75 (1) (a) 1. All orders awarded or contracts made by the department for all materials, supplies, equipment, and contractual services to be provided to any agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t), (6), (7), (8), (9), (9m), and (10m) and ss. 16.73 (4) (a), 16.751, 16.754, ~~16.964 (8)~~, 50.05 (7) (f), 153.05 (2m) (a), ~~and~~ 287.15 (7), *and 301.265*, shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the agency, the quantities of the articles to be supplied, their conformity with the specifications, and the purposes for which they are required and the date of delivery.

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3; 1999 a. 9, ~~44~~, 197; 2001 a. 16, 38; 2003 a. 33.

SECTION 8. 16.75 (9m) of the statutes is created to read:

X 16.75 (9m) (a) The department, any other designated purchasing agent under s. 16.71 (1), and any agency making purchases under s. 16.74 shall purchase chicken products only from a wholesaler who annually submits an affidavit to the department stating that the chicken products being supplied to the department, agent, or agency have been produced without the use of fluoroquinolone antibiotics.

X (b) The department, any other designated purchasing agent under s. 16.71 (1), and any agency making purchases under s. 16.74 shall purchase chicken, beef, and pork products only from a wholesaler who annually submits an affidavit to the department stating that the chicken, beef, or pork products being supplied to the department, agent, or agency have been produced without the nontherapeutic use of antibiotics used in human medicine, if there is a reasonable similarity between the

INS A:3

quality, quantity, availability, and price of the chicken, beef, or pork products offered by such a wholesaler and other chicken, beef, and pork products offered for sale.

X

(c) The department, any other designated purchasing agent under s. 16.71 (1), and any agency making purchases under s. 16.74 shall purchase turkey products only from a wholesaler who annually submits an affidavit to the department stating that the turkey products being supplied to the department, agent, or agency have been produced without the use of fluoroquinolone antibiotics and without the nontherapeutic use of antibiotics used in human medicine if there is a reasonable similarity between the quality, quantity, availability, and price of the turkey products offered by such a wholesaler and other turkey products offered for sale.

(d) The department shall inform wholesalers of chicken, turkey, beef, or pork products who seek to do business with the department, any designated agent under s. 16.71 (1) or any agency making purchases under s. 16.74 of the provisions of this subsection.

SECTION 9. Initial applicability.

INS B

(1) The treatment of sections 16.70 (1m), (1n), (3g), (3h), (4e), and (9m) and 16.75 (1) (a) 1. and (9m) of the statutes first applies with respect to orders and contracts entered into on the effective date of this subsection.

Analysis

and, in the case of turkey products, that have been produced without the use of fluoroquinolone antibiotics

This bill requires state agencies (including, the University of Wisconsin System), school districts, and technical college districts to give preference in purchasing chicken, turkey, beef, or pork products to suppliers who provide meat from animals that have not been given antibiotics for other than therapeutic reasons. ^{college districts}

In addition, the bill requires ^{state agencies, school districts, and technical} to purchase ^{from} chicken products only from a supplier ~~wholesale~~ who submits an affidavit ^{with} stating that the chicken products being supplied were produced without the use of fluoroquinolone antibiotics.



2005 BILL

1 AN ACT *to amend* 16.75 (1) (a) 1., and *to create* 16.70 (1m), 16.70 (1n), 16.70 (3g),
 2 16.70 (3h), 16.70 (4e), 16.70 (9m), 16.75 (9m), 38.42 and 118.065 of the statutes;
 3 **relating to:** the purchase of chicken, turkey, beef, and pork products by state
 4 agencies, school districts, and technical college districts.

Analysis by the Legislative Reference Bureau

This bill requires state agencies (including the University of Wisconsin System), school districts, and technical college districts to give preference in purchasing chicken, turkey, beef, or pork products to suppliers who provide meat from animals that have not been given antibiotics for other than therapeutic reasons and, ~~in the case of turkey products, that have been produced without the use of fluoroquinolone antibiotics.~~

~~In addition, the bill requires state agencies, school districts, and technical college districts to purchase chicken products only from a supplier who submits an affidavit stating that the chicken products being supplied were produced without the use of fluoroquinolone antibiotics.~~

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL**SECTION 1**

1 **SECTION 1.** 16.70 (1m) of the statutes is created to read:

2 16.70 (1m) "Antibiotics" means substances that kill or inhibit the growth or
3 multiplication of bacteria, including penicillins, tetracyclines, macrolides,
4 lincosamides, streptogramins, aminoglycosides, and sulfonamides, but excluding
5 ionophores or other compounds directed against fungi, parasites, or viruses.

6 **SECTION 2.** 16.70 (1n) of the statutes is created to read:

7 16.70 (1n) "Antibiotics used in human medicine" means antibiotics that belong
8 to any of the following classes of compounds approved for use in human medicine:
9 penicillins, tetracyclines, macrolides, lincosamides, streptogramins,
10 aminoglycosides, or sulfonamides.

11 **SECTION 3.** 16.70 (3g) of the statutes is created to read:

12 16.70 (3g) "Disease prevention" means the nonroutine use of antibiotics to
13 prevent disease in an animal when the disease is present on the premises of the
14 animal or is likely to occur in the animal because of a specific situation.

15 **SECTION 4.** 16.70 (3h) of the statutes is created to read:

16 16.70 (3h) "Disease therapy" means the use of antibiotics under the direction
17 of a veterinarian to treat an animal with a disease or illness, but excludes the use of
18 antibiotics beyond the period needed for treatment of the disease or illness.

19 **SECTION 5.** 16.70 (4e) of the statutes is created to read:

20 16.70 (4e) "Fluoroquinolone antibiotics" means any of a group of fluorinated
21 derivatives of quinolone that are used as antibacterial drugs, including enrofloxacin.

22 **SECTION 6.** 16.70 (9m) of the statutes is created to read:

23 16.70 (9m) "Nontherapeutic use" means the administration of antibiotics to an
24 animal for purposes other than disease prevention or disease therapy.

BILL

1 SECTION 7. 16.75 (1) (a) 1. of the statutes, as affected by 2005 Wisconsin Act 25,
2 is amended to read:

3 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all
4 materials, supplies, equipment, and contractual services to be provided to any
5 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),
6 (6), (7), (8), (9), (9m), and (10m) and ss. 16.73 (4) (a), 16.751, 16.754, 50.05 (7) (f),
7 153.05 (2m) (a), 287.15 (7), and 301.265, shall be awarded to the lowest responsible
8 bidder, taking into consideration life cycle cost estimates under sub. (1m), when
9 appropriate, the location of the agency, the quantities of the articles to be supplied,
10 their conformity with the specifications, and the purposes for which they are
11 required and the date of delivery.

12 SECTION 8. 16.75 (9m) of the statutes is created to read:

13 16.75 (9m) (a) The department, any other designated purchasing agent under
14 s. 16.71 (1), and any agency making purchases under s. 16.74 shall purchase chicken
15 products only from a wholesaler who annually submits an affidavit to the
16 department stating that the chicken products being supplied to the department,
17 agent, or agency have been produced without the use of fluoroquinolone antibiotics.

18 ^{no # (a)} ~~(a)~~ The department, any other designated purchasing agent under s. 16.71 (1),
19 and any agency making purchases under s. 16.74 shall purchase chicken, ^{turkey,} beef, and
20 pork products only from a wholesaler who annually submits an affidavit to the
21 department stating that the chicken, ^{turkey,} beef, or pork products being supplied to the
22 department, agent, or agency have been produced without the nontherapeutic use
23 of antibiotics used in human medicine, if there is a reasonable similarity between the
24 quality, quantity, availability, and price of the chicken, ^{turkey,} beef, or pork products offered
25 by such a wholesaler and other chicken, ^{turkey,} beef, and pork products offered for sale.

↑
Comma stays

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SECTION 8

1 (b) (c) The department, any other designated purchasing agent under s. 16.71 (1),
 2 and any agency making purchases under s. 16.74 shall purchase turkey products
 3 only from a wholesaler who annually submits an affidavit to the department stating
 4 that the turkey products being supplied to the department, agent, or agency have
 5 been produced without the use of fluoroquinolone antibiotics and without the
 6 nontherapeutic use of antibiotics used in human medicine if there is a reasonable
 7 similarity between the quality, quantity, availability, and price of the turkey
 8 products offered by such a wholesaler and other turkey products offered for sale.

9 (b) (d) The department shall inform wholesalers of chicken, turkey, beef, or pork
 10 products who seek to do business with the department, any designated agent under
 11 s. 16.71 (1) or any agency making purchases under s. 16.74 of the provisions of this
 12 subsection.

13 **SECTION 9.** 38.42 of the statutes is created to read:

14 **38.42 Purchasing meat products.** (1) In this section:

15 (a) "Antibiotics" means substances that kill or inhibit the growth or
 16 multiplication of bacteria, including penicillins, tetracyclines, macrolides,
 17 lincosamides, streptogramins, aminoglycosides, and sulfonamides, but excluding
 18 ionophores or other compounds directed against fungi, parasites, or viruses.

19 (b) "Antibiotics used in human medicine" means antibiotics that belong to any
 20 of the following classes of compounds approved for use in human medicine:
 21 penicillins, tetracyclines, macrolides, lincosamides, streptogramins,
 22 aminoglycosides, or sulfonamides.

23 (c) "Broker or wholesaler" means a person who purchases or collects food from
 24 food producers for subsequent sale or distribution to technical college districts.

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1 (d) "Disease prevention" means the nonroutine use of antibiotics to prevent
2 disease in an animal when the disease is present on the premises of the animal or
3 is likely to occur in the animal because of a specific situation.

4 (e) "Disease therapy" means the use of antibiotics under the direction of a
5 veterinarian to treat an animal with a disease or illness, but excludes the use of
6 antibiotics beyond the period needed for treatment of the disease or illness.

7 (f) "Fluoroquinolone antibiotics" means any of a group of fluorinated
8 derivatives of quinolone that are used as antibacterial drugs, including enrofloxacin.

9 (g) "Nontherapeutic use" means the administration of antibiotics to an animal
10 for purposes other than disease prevention or disease therapy.

11 (2) A district board shall purchase chicken products only from a broker or
12 wholesaler who annually submits an affidavit to the district board stating that the
13 chicken products being supplied to the district have been produced without the use
14 of fluoroquinolone antibiotics.

15 (2) (3) Assuming reasonable similarity in the quality, quantity, availability, and
16 price to other chicken, ^{turkey,} beef, or pork products offered for sale, a district board shall
17 purchase chicken, ^{turkey,} beef, and pork products only from a broker or wholesaler who
18 annually submits an affidavit to the district board stating that the chicken, ^{turkey,} beef, or
19 pork products being supplied to the district have been produced without the
20 nontherapeutic use of antibiotics used in human medicine.

21 (3) (4) Assuming reasonable similarity in the quality, quantity, availability, and
22 price to other turkey products offered for sale, a district board shall purchase turkey
23 products only from a broker or wholesaler who annually submits an affidavit to the
24 district board stating that the turkey products being supplied to the district have

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1 been produced without the use of ~~fluoroquinolone~~ antibiotics and without the
2 nontherapeutic use of antibiotics used in human medicine.

3 (3) ~~(5)~~ A district board shall inform brokers and wholesalers of chicken, turkey,
4 beef, or pork products who seek to do business with the district of the provisions of
5 this section.

6 SECTION 10. 118.065 of the statutes is created to read:

7 118.065 Purchasing meat products. (1) In this section:

8 (a) "Antibiotics" means substances that kill or inhibit the growth or
9 multiplication of bacteria, including penicillins, tetracyclines, macrolides,
10 lincosamides, streptogramins, aminoglycosides, and sulfonamides, but excluding
11 ionophores or other compounds directed against fungi, parasites, or viruses.

12 (b) "Antibiotics used in human medicine" means antibiotics that belong to any
13 of the following classes of compounds approved for use in human medicine:
14 penicillins, tetracyclines, macrolides, lincosamides, streptogramins,
15 aminoglycosides, or sulfonamides.

16 (c) "Broker or wholesaler" means a person who purchases or collects food from
17 food producers for subsequent sale or distribution to technical college districts.

18 (d) "Disease prevention" means the nonroutine use of antibiotics to prevent
19 disease in an animal when the disease is present on the premises of the animal or
20 is likely to occur in the animal because of a specific situation.

21 (e) "Disease therapy" means the use of antibiotics under the direction of a
22 veterinarian to treat an animal with a disease or illness, but excludes the use of
23 antibiotics beyond the period needed for treatment of the disease or illness.

24 (f) "~~Fluoro~~quinolone antibiotics" means any of a group of fluorinated
25 derivatives of quinolone that are used as antibacterial drugs, including enrofloxacin.

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1 (f) (g) "Nontherapeutic use" means the administration of antibiotics to an animal
2 for purposes other than disease prevention or disease therapy.

3 (2) A school board shall purchase chicken products only from a broker or
4 wholesaler who annually submits an affidavit to the school board stating that the
5 chicken products being supplied to the school district have been produced without
6 the use of fluoroquinolone antibiotics.

7 (2) (3) Assuming reasonable similarity in the quality, quantity, availability, and
8 price to other chicken, ^{turkey,} beef, or pork products offered for sale, a school board shall
9 purchase chicken, ^{turkey,} beef, and pork products only from a broker or wholesaler who
10 annually submits an affidavit to the school board stating that the chicken, ^{turkey,} beef, or
11 pork products being supplied to the school district have been produced without the
12 nontherapeutic use of antibiotics used in human medicine.

13 (4) Assuming reasonable similarity in the quality, quantity, availability, and
14 price to other turkey products offered for sale, a school board shall purchase turkey
15 products only from a broker or wholesaler who annually submits an affidavit to the
16 school board stating that the turkey products being supplied to the school district
17 have been produced without the use of fluoroquinolone antibiotics and without the
18 nontherapeutic use of antibiotics used in human medicine.

19 (3) (3) A school board shall inform brokers and wholesalers of chicken, turkey,
20 beef, or pork products who seek to do business with the school district of the
21 provisions of this section.

SECTION 11. Initial applicability.

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1 (1) The treatment of sections 16.70 (1m), (1n), (3g), (3h), (4e), and (9m) and
2 16.75 (1) (a) 1. and (9m) of the statutes first applies with respect to orders and
3 contracts entered into on the effective date of this subsection.

4 (END)

Basford, Sarah

From: Youngman, Lori
Sent: Wednesday, November 02, 2005 8:52 AM
To: LRB.Legal
Subject: Draft review: LRB 05-3306/2 Topic: Preference in purchasing meat products

It has been requested by <Youngman, Lori> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-3306/2 Topic: Preference in purchasing meat products