



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 46
[2015 Assembly Bill 37]

**Certificates of Food Protection
Practices in School Lunchrooms**

2015 Wisconsin Act 46 requires operators or managers of certain school lunchrooms to hold certificates of food protection practices.

BACKGROUND AND PRIOR LAW

Wisconsin law generally prohibits any person from conducting, maintaining, managing, or operating a restaurant unless the operator or manager of the restaurant holds a valid certificate of food protection practices. [s. 254.71 (1r), Stats.] For purposes of that requirement, “restaurant” is defined to exclude public and private school lunchrooms that provide food directly to students.

2015 WISCONSIN ACT 46

2015 Wisconsin Act 46 retains the general provisions described above but adds an additional requirement applicable to school lunchrooms. Specifically, the Act prohibits any person from conducting, maintaining, managing, or operating a school lunchroom that is participating in the national school lunch program and provides food directly, unless the operator or manager of the lunchroom, or his or her designee, holds a certificate of food protection practices.

Under the Act, for purposes of school lunchrooms, an “operator or manager” is the person responsible for the administration of food services for a private school, charter school, or public school district. The Act also specifies that a private school, charter school, or public school district complies with the Act if the school or school district has at least one certificate holder.

Effective date: July 3, 2015.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.