
Wisconsin Legislative Council

ACT MEMO



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March 10, 2020

2019 Wisconsin Act 153 [2019 Senate Bill 685]

Duration of Milk Producer Affidavits

Current law requires the Department of Agriculture, Trade and Consumer Protection (DATCP) to promulgate rules under which a person may state upon a dairy product label that the product is free from synthetic bovine growth hormone.¹ [Section 97.25 \(3\), Stats.](#), provides that a label's statement must be based upon affidavits from milk producers stating that the milk producers do not use synthetic bovine growth hormone for the production of milk.

2019 Wisconsin Act 153 prohibits DATCP from promulgating a rule that limits the duration that a milk producer affidavit may be used to substantiate a claim that a dairy product contains no synthetic bovine growth hormone or is made from milk produced without the use of synthetic bone growth hormone.²

Effective date: March 4, 2020

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¹ Synthetic bovine growth hormone may also be known as recombinant bovine growth hormone or recombinant bovine somatotropin (rBST).

² Section ATCP 83.02 (7) (d) 3., Wis. Adm. Code, currently provides that a person may not use an affidavit to substantiate an rBST-free claim if the affidavit is more than one year when the claim is made. The final draft of Clearinghouse Rule 19-143, submitted to the Legislature on February 28, 2020, eliminates this provision.