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Chapter ATCP 69

BUTTERMAKERS AND CHEESEMAKERS

ATCP 69.01 Buttermaker license.
ATCP 69.02 Cheesemaker license.
ATCP 69.03 License displayed.

Note: Chapter Ag 6 was renumbered ch. ATCP 69 under s. 13.93 (2m) (b) 1., Stats., Register, April, 1993, No. 448.

ATCP 69.01 Buttermaker license. (1) LICENSE REQUIRED. No person may operate as a buttermaker, as defined in s. 97.17 (1), Stats., without a buttermaker license from the department. A license expires on January 1 of the second calendar year beginning after the license is issued.

(2) LICENSE APPLICATION. A person shall apply for a buttermaker license on a form provided by the department. The application shall include all of the following:

(a) Documentation of buttermaker qualifications under sub. (3).

(b) The fee required under sub. (5).

(3) QUALIFICATIONS. A buttermaker license application under sub. (2) shall include documentation approved by the department to show that the applicant meets at least one of the following requirements:

(a) The applicant has held a buttermaker license in this state within 10 years prior to the current license application.

(b) Within 10 years prior to the current license application, the applicant has worked directly in buttermaking operations for at least 24 months under the direct personal supervision of either a buttermaker licensed in Wisconsin or a buttermaker with similar credentials outside of Wisconsin.

(c) The applicant has done all of the following within 10 years prior to the current license application:

1. Worked in buttermaking operations for at least 18 months under the direct personal supervision of a licensed buttermaker.

2. Successfully completed a department−approved course in buttermaking from an accredited post−secondary educational institution.

(d) The applicant has done all of the following:

1. Obtained a 4−year or greater degree, with a food science or equivalent major, from an accredited post−secondary educational institution.

2. Worked in buttermaking operations for at least 12 months, under the direct personal supervision of a licensed buttermaker, within 10 years prior to the current license application.

(4) EXAMINATION. An applicant for a buttermaker's license, other than a renewal license, shall pass a written examination in order to qualify for the license. The license examination shall test the applicant's knowledge of buttermaking and related matters, and may include questions related to any of the following:

(a) Laws related to buttermaking, including standards of identity, composition standards, food safety standards, labeling requirements and related matters.

(b) The fundamentals of buttermaking, including all of the following:

1. Preparation and care of equipment.
2. Composition control.
3. Preparation and use of starter.
4. Pasteurization of milk and cream.
5. Problems of acidity control.
6. Common butter defects and methods of overcoming them.
7. Yeast, mold and bacterial control methods.

(c) Relevant arithmetical problems related to dairy plant operations, butter production, plant efficiencies, and dairy product values.

(d) Practical working knowledge related to all of the following:

1. Testing milk and cream for bacteria, sediment and acidity.
2. Grading milk and cream.
3. Analysis of butter composition.
4. Judging butter samples.
5. Fundamentals of pasteurization.

(5) LICENSE FEE. An applicant for a buttermaker license shall pay a license fee of $60.

(6) Action on license application. The department shall grant or deny a license application under sub. (2) within 20 days after the applicant submits a complete application and takes any examination required under sub. (4). If an examination is required under sub. (4), the department shall administer the examination within 40 days after the department receives a complete license application under sub. (2) unless the applicant agrees to a later examination date.

Note: The department may issue a license under s. ATCP 69.01 on a conditional basis, pursuant to s. 93.06 (8), Stats.

History: 1−2−56; am. (1), (2) (intro.) and (d), (3) (c), r. and recr. (3) (b) and r. (3) (d), Register, January, 1985, No. 349, eff. 2−1−85; cr. (4), Register, November, 1985, No. 359, eff. 12−1−85; CR 05−044: cr. (5) Register December 2005 No. 600, eff. 1−1−06; **CR 07−006: r. and recr., Register January 2008 No. 625, eff. 2−1−08.**

ATCP 69.02 Cheesemaker license. (1) LICENSE REQUIRED. No person may operate as a cheesemaker, as defined in s. 97.17 (1), Stats., without a cheesemaker license from the department. A license expires on January 1 of the second calendar year beginning after the license is issued.

(2) LICENSE APPLICATION. A person shall apply for a cheesemaker license on a form provided by the department. The application shall include all of the following:

(a) Documentation of cheesemaker qualifications under sub. (3).

(b) The fee required under sub. (5).

(3) QUALIFICATIONS. A cheesemaker license application under sub. (2) shall include documentation approved by the department to show that the applicant meets at least one of the following requirements:

(a) The applicant has held a cheesemaker license in this state within 10 years prior to the current license application.

(b) The applicant has at least 18 months of work experience as a cheesemaker assistant. Work experience as a cheesemaker assistant shall be under the direct supervision of a licensed cheesemaker, shall be within 10 years prior to the current license application, and shall include at least one month of experience in the complete process of cheesemaking.

(c) The applicant has at least 12 months of work experience as a cheesemaker assistant under par. (b) and has one of the following educational qualifications:

1. The applicant has successfully completed a cheesemaking short course at the university of Wisconsin, or an equivalent course from an accredited post−secondary educational institution, within 10 years prior to the current license application.

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2. The applicant has at any time obtained a 2−year or greater degree, with a food science or equivalent major, from an accredited post−secondary educational institution.

(d) The applicant has at least 6 months of work experience as a cheesemaker assistant under par. (b) and holds a 4−year or greater degree, with a food science or equivalent major, from the university of Wisconsin or another accredited post−secondary educational institution.

(e) Within 5 years prior to the current license application, the applicant has completed at least 240 hours of on−the−job training in the complete process of cheesemaking under the direct supervision of a licensed cheesemaker and has completed department−approved courses in all of the following subjects:

1. Cheesemaking.
2. Production of safe dairy foods.
3. Hazard analysis critical control point (HACCP) process control.
4. Principles of milk pasteurization.
5. Dairy sanitation.

(4) EXAMINATION. An applicant for a cheesemaker's license, other than a renewal license, shall pass a written examination in order to qualify for the license. The license examination shall test the applicant's knowledge of cheesemaking and related matters, and may include questions related to any of the following:

(a) Laws related to cheesemaking, including standards of identity, food safety standards, labeling requirements and related matters.

(b) The fundamentals of cheesemaking, including all of the following:

1. Preparation and care of equipment.
2. Composition control.
3. Preparation and use of starter.
4. Pasteurization of milk, cream, and other dairy ingredients.
5. Problems of acidity control.
6. Common cheese defects and methods of overcoming them.
7. Yeast, mold and bacterial control methods.

(c) Relevant arithmetical problems related to dairy plant operations, cheese production, plant efficiencies and dairy product values.

(d) Practical working knowledge related to all of the following:

1. Testing milk and dairy products for bacteria, sediment and acidity.
2. Grading milk, cream and dairy ingredients.
3. Analysis of cheese composition.
4. Judging cheese samples.
5. Fundamentals of pasteurization.

(5) LICENSE FEE. An applicant for a cheesemaker license shall pay a license fee of $60.

(6) ACTION ON LICENSE APPLICATION. The department shall grant or deny a license application under sub. (2) within 20 days after the applicant submits a complete application and takes any examination required under sub. (4). If an examination is required under sub. (4), the department shall administer the examination within 40 days after the department receives a complete license application under sub. (2) unless the applicant agrees to a later examination date.

(7) CONDITIONAL LICENSE. The department may issue a license under s. 97.17, Stats., on a conditional basis, pursuant to s. 93.06 (8), Stats. If the department issues a license to an applicant who qualifies under sub. (3) (e), the license shall be a conditional license for at least 2 years. The conditional license status shall be removed from the license if the license holder has met the requirements in pars. (a) and (b) and completed the period of conditional licensure set by the department. The department may summarily suspend the license if the license holder fails to do any of the following:

(a) Successfully complete a performance evaluation conducted by qualified department staff at any time during the conditional license term. The department may conduct an evaluation at any time, at its discretion.

(b) Complete the 40 hours of department−approved continuing education related to cheesemaking by the end of the conditional license period. Continuing education programs may include any of the following:

1. Seminars on cheese safety, quality and grading provided by a trade association or other continuing education provider.
2. Short courses on cheesemaking and grading provided by an accredited university or university extension service.
3. Other programs approved by the department.

History: 1−2−56; am. (1), r. and recr. (2), cr. (3), Register, January, 1985, No. 349, eff. 2−1−85; cr. (4), Register, November, 1985, No. 359, eff. 12−1−85; CR 01−124: r. and recr. (1), cr. (5) Register December 2002 No. 564, eff. 1−1−03; CR 05−044: cr. (6) Register December 2005 No. 600, eff. 1−1−06; CR 06−028: am. (1) (a), (b) (intro.), (c) and (d) (intro.) Register November 2006 No. 611, eff. 12−1−06; **CR 07−006: r. and recr., Register January 2008 No. 625, eff. 2−1−08.**

ATCP 69.03 License displayed. Each buttermaker's and cheesemaker's permit or license shall be conspicuously displayed at the factory where the permittee or licensee is engaged in the licensed activity or employed.

History: 1−2−56; am. Register, January, 1985, No. 349, eff. 2−1−85.