1999 SENATE BILL 10

January 20, 1999 – Introduced by Senators Clausing, A. Lasee, Moen, Schultz, Decker, Baumgart, Fitzgerald, Erpenbach, Drzewiecki, Cowles, Grobschmidt, Darling, Breske and Panzer, cosponsored by Representatives Ott, Plouff, Hahn, Gronemus, Sykora, Boyle, Johnsrud, Bock, Skindrud, Brandemuehl, La Fave, Freese, Hebl, Powers, Spillner, Colon, Seratti, Pocan, Gunderson, Black, Musser, Goetsch, Ryba and Kelso. Referred to Committee on Agriculture, Environmental Resources and Campaign Finance Reform.

- 1 AN ACT to create 100.183 (4) of the statutes; relating to: representations
- 2 concerning cheese and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits false advertising concerning food.

This bill prohibits a person from representing or implying that cheese is Wisconsin cheese or is from or made in Wisconsin unless the cheese is manufactured in this state. The bill also prohibits a person from selling cheese that is not manufactured in this state but is labeled with a business address in this state unless the label identifies the state or country in which the cheese is manufactured. A violation of one of these prohibitions is punishable by a civil forfeiture of from \$100 to \$5,000.

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

- **SECTION 1.** 100.183 (4) of the statutes is created to read:
- 4 100.183 **(4)** (a) In this subsection, "manufactured" does not include dried, grated, shredded, cut or packaged.
- 6 (b) No person may represent or imply that cheese is Wisconsin cheese or is from or made in Wisconsin unless the cheese is manufactured in this state.

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(c) No person may sell or offer for sale cheese that is not manufactured in this
state and that has an outline or map of this state, or any other generally recognized
symbol of this state, on the cheese or on its label unless the label prominently
identifies the state or country in which the cheese is manufactured.

- (d) No person may sell or offer for sale cheese that is not manufactured in this state and that is labeled with a business address located in this state unless the label prominently identifies the state or country in which the cheese is manufactured.
- (e) Any person who violates pars. (b) to (d) shall forfeit not less than \$100 nor more than \$5,000 for each violation.

SECTION 2. Effective date.

(1) This act takes effect on the first day of the 6th month beginning after publication.

13 (END)