

1999 DRAFTING REQUEST

Bill

Received: **05/20/99**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **Rodney Moen (608) 266-8546**

By/Representing: **Bruce Humphrey**

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

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Agriculture - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Sale of bread

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Required</u>
/?	traderc 06/15/99	jgeller 06/16/99		_____		
/1			martykr 06/16/99	_____	lrb_docadmin 06/16/99	lrb_docadmin 06/21/99

FE Sent For:

<END>

Not Needed

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1?	traderc	11 6/16 jlg	Km 6/16	Km 6/16			

FE Sent For:

<END>

1, 2, 3
1, 2

Section 98.21- Repeal and recreate:

98.21 Bread, standard loaves. (1) Except as provided in sub. (2), bread manufactured, procured, made or kept for sale, offered for sale, or sold, for use or consumption within this state, shall be sold by weight.

(2) The provisions of this section shall not apply to stale bread, provided that such bread be conspicuously marked "stale bread", or placed in a container conspicuously marked "stale bread", and sold as and for stale bread.

3/11/1
LRB-3012/2
RCT:jlg:mrc
↑
stays

1999 BILL

ONote

repeals

1 AN ACT to amend 98.12; and to repeal and recreate 98.21 of the statutes;
2 relating to: ~~the sale of ice cream and similar products and~~ the sale of bread.

Analysis by the Legislative Reference Bureau

Current law generally requires ice cream and similar frozen desserts that are packaged before sale to be sold by liquid measure and packaged only in containers with capacities of one-half liquid pint, one liquid pint, one liquid quart or a multiple of one liquid quart. This requirement does not apply if products are packaged at the time of sale at retail or sold in quantities of less than one-half liquid pint. This bill eliminates the limitations on the size of containers in which ice cream and similar products may be packaged but retains the requirement that they be sold by liquid measure, subject to the current exception.

Under current law, the weight of a loaf of bread manufactured, offered for sale or sold for consumption in this state generally must be a multiple of four ounces and must be at least one-half pound. These requirements do not apply to rolls and similar items that weigh less than four ounces each, to stale bread that is identified as such or to bread manufactured and sold for persons requiring special breads because of medical conditions.

This bill eliminates the limitations on the weight of bread loaves. This bill prohibits a person from manufacturing for sale in this state, offering for sale and sale

BILL

of bread unless the bread is sold by weight. This prohibition does not apply to stale bread that is identified as such.

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

1 ~~SECTION 1. 98.12 of the statutes is amended to read:~~

2 ~~98.12 **Standard containers; frozen desserts** Sale of ice cream and~~
3 ~~similar frozen products. Ice cream, ice milk, water ices or other frozen desserts~~
4 ~~of a similar nature packaged prior to sale ~~may~~ shall be sold by liquid measure ~~only~~~~
5 ~~and shall be packaged only in containers with capacities of one half liquid pint, one~~
6 ~~liquid pint, one liquid quart, or a multiple of one liquid quart. This section does not~~
7 ~~apply if such the products are packaged at time of sale at retail or sold in quantities~~
8 ~~of less than one half liquid pint.~~

9 SECTION 2. 98.21 of the statutes is repealed and recreated to read:

10 98.21 **Sale of bread.** (1) Except as provided in sub. (2), no person may
11 manufacture for sale in this state, offer to sell or sell bread unless the bread is sold
12 by weight.

13 (2) Subsection (1) does not apply to stale bread if the bread is conspicuously
14 marked "stale bread" or is placed in a container conspicuously marked "stale bread"
15 and sold as and for stale bread.

16 (END) ✓

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

3111 1
LRB-3002/7dn
RCT:jlg:mrc

↑
stays

May 18, 1999 } new date

As requested, this draft ~~requires ice cream and similar products to be "sold by liquid measure". It requires bread to be "sold by weight". While current law requires ice cream and similar products to be sold by liquid measure,~~ I am not certain what "sold by" means. It seems that a labeling requirement might be clearer, if that is what is intended.

I have modernized and simplified the proposed language concerning the sale of bread.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: Becky.Tradewell@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3111/1dn
RCT/jlg:km

June 16, 1999

As requested, this draft requires bread to be "sold by weight". I am not certain what "sold by" means. It seems that a labeling requirement might be clearer, if that is what is intended.

I have modernized and simplified the proposed language concerning the sale of bread.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: Becky.Tradewell@legis.state.wi.us

**SUBMITTAL
FORM**

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 6/16/99

To: Senator Moen

Relating to LRB drafting number: LRB-3111

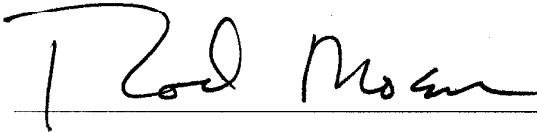
Topic

Sale of bread

Subject(s)

Agriculture - miscellaneous

1. **JACKET** the draft for introduction



in the Senate or the Assembly (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Rebecca C. Tradewell, Managing Attorney
Telephone: (608) 266-7290