

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: **04/6/99**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-8086**

By/Representing: **Shug**

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

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Agriculture - food safety**

Extra Copies:

**Pre Topic:**

LFB:.....Shug - Yank #107 and 108,

**Topic:**

Meat processing and hazardous food

**Instructions:**

Delete LRB-0567 from budget

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 04/6/99	jgeller 04/6/99		_____			
/1			hhagen 04/6/99	_____	lrb_docadmin 04/6/99		

FE Sent For:

**<END>**

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/?	traderc	11 4/6 jlg	# 4/12	# JF 4/12			

FE Sent For:

<END>

DOA:.....Justus - DATCP food and meat code

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**AGRICULTURE**

Under current law, the department of agriculture, trade and consumer protection (DATCP) regulates establishments where animals are slaughtered and where meat is processed if those establishments are not federally licensed. Current law requires DATCP to promulgate rules regulating slaughtering and meat processing.

This bill requires slaughtering and meat processing establishments that are not federally licensed to comply with federal regulations applicable to federally licensed establishments, except as otherwise provided in rules promulgated by DATCP.

Under current law, DATCP regulates retail food establishments, such as grocery stores, and the department of health and family services (DHFS) regulates restaurants. Also under current law, a state agency is generally required to use the form and style used for the statutes when it promulgates rules.

Under this bill, if DATCP or DHFS promulgates a rule based on the model food code, the rule may use the format of the model food code. The model food code is

published by the federal food and drug administration as a model for state and local regulation of retail food establishments and restaurants.

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

1           **SECTION 1.** 97.30 (1) (bm) of the statutes is repealed and recreated to read:

2           97.30 (1) (bm) Except as provided by the department by rule, “potentially  
3 hazardous food” means a food that requires temperature control because it is in a  
4 form capable of supporting any of the following:

- 5           1. Rapid and progressive growth of infectious or toxigenic microorganisms.  
6           2. Growth and toxin production of *Clostridium botulinum*.  
7           3. In raw shell eggs, growth of *Salmonella enteritidis*.

8           **SECTION 2.** 97.42 (4) (intro.) of the statutes is amended to read:

9           97.42 (4) **RULES.** (intro.) The department ~~shall~~ may issue reasonable rules  
10 requiring or prescribing any of the following:

11           **SECTION 3.** 97.42 (4m) of the statutes is created to read:

12           97.42 (4m) **FEDERAL REQUIREMENTS.** Except as provided in rules promulgated  
13 under sub. (4), the operator of an establishment that is required to be licensed under  
14 this section shall comply with 9 CFR parts 307 to 311, 313 to 315, 416 and 417 and  
15 part 381 subparts G, H, I, J, K, L, O and P as they apply to federally licensed  
16 establishments.

17           **SECTION 4.** 227.14 (1s) of the statutes is created to read:

18           227.14 (1s) **EXCEPTION; PREPARATION OF CERTAIN RULES BASED ON FEDERAL FOOD**  
19 **CODE.** Notwithstanding sub. (1), if the department of agriculture, trade and  
20 consumer protection or the department of health and family services prepares a

1 proposed rule based on the model food code published by the federal food and drug  
2 administration, the proposed rule may be in the format of the model food code.

3 **SECTION 9404. Effective dates; agriculture, trade and consumer**  
4 **protection.**

5 (1) MEAT AND POULTRY INSPECTION. The treatment of section 97.42 (4) (intro.) and  
6 (4m) of the statutes takes effect on January 1, 2000.

7 (2) POTENTIALLY HAZARDOUS FOOD. The treatment of section 97.30 (1) (bm) of the  
8 statutes takes effect on January 1, 2001.

9 (END)

1999

Date (time) needed

5000

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LFB BUDGET AMENDMENT [ONLY FOR LFB]

Ret : jlg :

See form AMENDMENTS — COMPONENTS & ITEMS.

LFB AMENDMENT TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

#. Page 953, line 3...: delete/mos 3 to 9. ✓

#. Page 953, line 19...: delete the material beginning with that line and ending with page 954, line 2. ✓

#. Page 1102, line 23: delete the material beginning with that line and ending with page 1103, line 3. ✓

#. Page 1468, line 1...: delete lines 1 to 4. ✓

(End)

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0067/1  
RCT:jlh:hmh

LFB:.....Shug - Yank #107 and 108, Meat processing and hazardous food

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 953, line 3: delete lines 3 to 9.

3 **2.** Page 953, line 19: delete the material beginning with that line and ending  
4 with page 954, line 2.

5 **3.** Page 1102, line 23: delete the material beginning with that line and ending  
6 with page 1103, line 3.

7 **4.** Page 1468, line 1: delete lines 1 to 4.

8 (END)