

2001 SENATE BILL 486

March 5, 2002 – Introduced by Senator GEORGE, cosponsored by Representative MUSSER. Referred to Committee on Labor and Agriculture.

1 **AN ACT to repeal and recreate** 97.57 of the statutes; **relating to:**
2 representations made regarding wild rice sold or offered for sale in this state,
3 granting rule-making authority, and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law requires a wholesaler or supplier of cultivated wild rice to label the wild rice as being “paddy-grown” unless the wild rice is blended with other rice. Current law also prohibits a wholesaler or supplier of wild rice from labeling the wild rice as “100% natural wild rice” unless it is uncultivated wild rice that is not blended with other rice.

This bill replaces the current requirements concerning the labeling of wild rice. The bill requires a person who sells cultivated wild rice to indicate on the label, and in any advertising, that the wild rice is cultivated. The bill requires a person who sells a blend of wild-grown and cultivated wild rice to indicate on the label, and in any advertising, that the wild rice is a blend of wild-grown and cultivated wild rice and to indicate on the label the percentages of the blend that are wild-grown and cultivated. The bill requires a person who sells a packaged food product that contains wild rice and at least 40% other food products and that labels the packaged food product as a wild rice product or blend to indicate on the label the percentage of the food product that is wild rice. The bill requires a person who sells wild rice that is machine harvested to indicate on the label, and in any advertising, that the wild rice is machine harvested, unless the wild rice is labeled as being cultivated, blended, or a packaged wild rice product. Finally, the bill requires a person who sells wild rice

SENATE BILL 486

to indicate on the label, and in any advertising, the state or province in which the wild rice is grown.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 97.57 of the statutes is repealed and recreated to read:

2 **97.57 Advertising and labeling of wild rice. (1) DEFINITIONS.** In this
3 section:

4 (a) “Cultivated” means grown in a field or paddy that is flooded during the
5 growing season and drained at the time of harvesting.

6 (b) “Machine harvested” means harvested by any method other than
7 traditional methods.

8 (c) “Packaged wild rice product” means a packaged food product that contains
9 wild rice and at least 40% other food products and that is labeled or marketed as a
10 wild rice product or blend.

11 (d) “Traditional methods” means using only a hand-propelled boat and 2
12 hand-held wooden sticks or rods.

13 (e) “Wild-grown” means grown in a lake, river, slough, or other water body that
14 is not drained at the time of harvesting.

15 **(2) CULTIVATED WILD RICE.** Except as provided in sub. (6) (a), a person who sells
16 or offers for sale cultivated wild rice, at retail or wholesale, in this state shall do all
17 of the following:

18 (a) Clearly and conspicuously label the wild rice as being cultivated.

19 (b) Clearly and conspicuously indicate in any sign, advertisement, or other
20 representation regarding the wild rice that it is cultivated.

SENATE BILL 486

1 **(3) BLENDED WILD RICE.** Except as provided in sub. (6) (a), a person who sells
2 or offers for sale a blend of wild-grown and cultivated wild rice, at retail or wholesale,
3 in this state shall do all of the following:

4 (a) Clearly and conspicuously label the wild rice as being a blend of wild-grown
5 and cultivated wild rice and indicate the percentages of the blend that are
6 wild-grown and cultivated.

7 (b) Clearly and conspicuously indicate in any sign, advertisement, or other
8 representation regarding the wild rice that it is a blend of wild-grown and cultivated
9 wild rice.

10 **(3m) PACKAGED WILD RICE PRODUCTS.** Except as provided in sub. (6) (a), a person
11 who sells or offers for sale a packaged wild rice product, at retail or wholesale, in this
12 state, shall clearly and conspicuously indicate on the label the percentage of the
13 packaged wild rice product that is wild rice.

14 **(4) MACHINE HARVESTED WILD RICE.** Except as provided in sub. (6), a person who
15 sells or offers for sale machine harvested wild rice, at retail or wholesale, in this state
16 shall do all of the following:

17 (a) Clearly and conspicuously label the wild rice as being machine harvested.

18 (b) Clearly and conspicuously indicate in any sign, advertisement, or other
19 representation regarding the wild rice that it is machine harvested.

20 **(5) PLACE OF ORIGIN.** Except as provided in sub. (6) (a), a person who sells or
21 offers for sale wild rice, at retail or wholesale, in this state shall clearly and
22 conspicuously indicate in the label and any sign, advertisement, or other
23 representation regarding the wild rice the state or province in which the wild rice
24 was grown.

