AN ACT to amend 97.20 (1) (b) of the statutes; relating to: licensing of plants that process certain foods made with milk or milk products.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from operating a dairy plant without a license issued by the Department of Agriculture, Trade and Consumer Protection (DATCP). A dairy plant is a place where a dairy product is manufactured or processed for sale. Currently, the definition of “dairy product” includes any commodity in which milk or any milk product is a principal ingredient. Current law also authorizes DATCP to promulgate rules for the operation of dairy plants, including standards for equipment.

Under this bill, a place that manufactures or produces commodities that are intended to be heated before being consumed and in which milk or any milk product is a principal ingredient, and no other dairy products, must be licensed as a food processing plant, rather than as a dairy plant. DATCP’s rules for food processing plants, including standards for equipment, differ from those for dairy plants.

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:

SECTION 1. 97.20 (1) (b) of the statutes is amended to read:
“Dairy product” means milk or any product or by-product of milk, or any commodity, intended to be consumed without first being heated, in which milk or any milk product or by-product is a principal ingredient.