

**2013 DRAFTING REQUEST**

**Bill**

Received: **6/18/2013** Received By: **btradewe**  
Wanted: **Today** Same as LRB: **-0773**  
For: **Glenn Grothman (608) 266-7513** By/Representing: **Adam Gibbs**  
May Contact: Drafter: **btradewe**  
Subject: **Agriculture - food safety** Addl. Drafters:  
Extra Copies: **TKK**

Submit via email: **YES**  
Requester's email: **Sen.Grothman@legis.wisconsin.gov**  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Sale of raw milk, Grade A milk standards, license exemption

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**Instructions:**

Like 09s0260/P2. See attached

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**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>
/1	btradewe 6/18/2013	jdyer 6/18/2013	jmurphy 6/18/2013	_____	lparisi 6/18/2013	mbarman 7/29/2013	State

FE Sent For:

→ At Intro.

<END>

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/1	btradewe	1 6/18 jld					State

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<END>

**Tradewell, Becky**

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**From:** Gibbs, Adam  
**Sent:** Tuesday, June 18, 2013 8:49 AM  
**To:** Tradewell, Becky  
**Subject:** Raw Milk - New LRB #

Hi Becky,

Thank you for turning around that draft so quickly we appreciate your help!

Sen. Grothman has requested to have a new Senate LRB number with a /1. The Assembly LRB is fine as is.

Let me know if you have any questions. Thank you!

Sincerely,

*Adam Gibbs*

**Office of Senator Grothman**  
20<sup>th</sup> Senate District  
(608) 266-7513

# "RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...

 DRAFTING ATTORNEYS: PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN


(Request Made By: RCT) (Date: 6 / 18 / 2013)

## Note:

**BOTH DRAFTS SHOULD HAVE THE SAME "REQUESTOR"**


*(exception: companion bills)*




 Please transfer the drafting file for  
**2011 LRB** \_\_\_\_\_ (For: Rep. / Sen. \_\_\_\_\_)

to the drafting file for  
**2013 LRB** \_\_\_\_\_ (For: Rep. / Sen. \_\_\_\_\_)

-----OR-----

 Please copy the drafting file for  
**2013 LRB** -0193 / 3 (include the version) (For: Rep. (Sen.) Grothman)

and place it in the drafting file for  
**2013 LRB** -2542 (For: Rep. (Sen.) Grothman)

 Are These "Companion Bills" ?? ... Yes  **No**

If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history ("guts") from the original file: \_\_\_\_\_



State of Wisconsin  
2013 - 2014 LEGISLATURE

*This morning*

**2013 BILL**

-2542ft  
LRB 0773/3  
RCTjld:rs  
Keep  
Companion in sun  
no changes

*PLF  
9/18  
JM*

*lx*  
*Reger*

1 AN ACT *to amend* 97.22 (2) (a); and *to create* 97.20 (2) (e) 1m., 97.22 (11) and  
2 97.24 (2m) of the statutes; **relating to:** the sale of unpasteurized milk products  
3 and an exemption from rules and licensing and permitting requirements for  
4 certain dairy farms.

***Analysis by the Legislative Reference Bureau***

Current law generally prohibits the sale of unpasteurized (commonly called raw) milk and other milk products and prohibits the sale to consumers of milk or fluid milk products that are not grade A milk or fluid milk products. Current law requires a dairy farmer to have a milk producer license from the Department of Agriculture, Trade and Consumer Protection (DATCP) and requires a grade A permit from DATCP to sell grade A milk. Also under current law, DATCP promulgates rules governing the operation of dairy farms and the testing and quality of milk.

This bill allows a dairy farmer to register with DATCP for the purpose of selling unpasteurized milk and milk products directly to consumers on the farm. Under the bill, a dairy farmer who is registered is not required to obtain a milk producer license or a grade A permit if the dairy farmer does not send any milk to a dairy plant (also called a processor) and sells no milk or milk products other than unpasteurized milk and milk products sold on the farm. A dairy farmer who registers with DATCP may sell unpasteurized milk and milk products if all of the following apply:

1. The dairy farmer or the consumer provides a clean container.
2. The milk or milk product is labeled with the name of the milk producer and with an indication that the milk or milk product is not pasteurized.

**BILL**

3. The dairy farmer posts a sign stating "Raw milk products sold here. Raw milk products are not pasteurized."

4. The unpasteurized milk complies with the DATCP rules for grade A milk concerning appearance and odor, bacterial count, drug residues, somatic cell count (a measure of milk quality), temperature, and pesticides and toxic substances.

5. The milk producer complies with the DATCP rules concerning the water supply for dairy operations.

Under the bill, DATCP's other rules governing the operation of dairy farms do not apply to a registered dairy farmer who does not have a license or a grade A permit.

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

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

1           **SECTION 1.** 97.20 (2) (e) 1m. of the statutes is created to read:

2           97.20 (2) (e) 1m. A dairy farm manufacturing or processing milk products, as  
3 defined in s. 97.24 (2m) (a), if the milk producer is authorized to sell milk products  
4 under s. 97.24 (2m) (e).

5           **SECTION 2.** 97.22 (2) (a) of the statutes is amended to read:

6           97.22 (2) (a) *License required.* ~~No~~ Except as provided in sub. (11), no person  
7 may operate a dairy farm as a milk producer without a valid license issued by the  
8 department for that dairy farm. A license expires on April 30 annually and is not  
9 transferable between persons or dairy farms. ~~Every~~ Except as provided in sub. (11),  
10 every milk producer shall comply with standards applicable to the production of milk  
11 and fluid milk products under this chapter and rules promulgated under this  
12 chapter.

13           **SECTION 3.** 97.22 (11) of the statutes is created to read:

14           97.22 (11) **EXCEPTION.** (a) A license is not required under sub. (2) for a milk  
15 producer registered under s. 97.24 (2m) (b) who does not sell milk or milk products

**BILL**

1 other than unpasteurized milk and milk products as authorized under s. 97.24 (2m)  
2 (e).

3 (b) Except as provided in s. 97.24 (2m) (e) 4. and 5., the rules promulgated under  
4 sub. (8) and s. 97.24 (3) do not apply to a milk producer described in par. (a) or to milk  
5 or milk products produced by a milk producer described in par. (a).

6 **SECTION 4.** 97.24 (2m) of the statutes is created to read:

7 97.24 (2m) SALE OF UNPASTEURIZED MILK AND MILK PRODUCTS. (a) In this  
8 subsection, "milk products" means cultured buttermilk, kefir, yogurt, whey, ice  
9 cream, butter, and cheese.

10 (b) A milk producer may register with the department for the purposes of par.  
11 (e).

12 (d) The department may not specify additional requirements for registration  
13 under par. (b).

14 (e) Notwithstanding subs. (2) (b) and (3), a milk producer who is registered  
15 under par. (b) may sell unpasteurized milk and milk products directly to a consumer  
16 on the milk producer's dairy farm if all of the following apply:

17 1. For each sale, either the milk producer or the consumer provides a clean  
18 container for the milk or milk product.

19 2. The milk producer affixes to the container a label that includes the name of  
20 the milk producer and, for milk, the words, "Raw milk—not pasteurized" or, for a  
21 milk product, "Raw milk product—not pasteurized."

22 3. At the place where the milk and milk products are sold, the milk producer  
23 displays a sign that is easy for a consumer to read and that states: "Raw milk  
24 products sold here. Raw milk products are not pasteurized."





## Rose, Stefanie

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**From:** Sen.Grothman  
**Sent:** Friday, July 26, 2013 1:23 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2542/1 Topic: Sale of raw milk, Grade A milk standards, license exemption

Please Jacket LRB -2542/1 for the SENATE.