

State of Wisconsin



2013 Assembly Bill 744

Date of enactment: April 16, 2014
Date of publication*: April 17, 2014

2013 WISCONSIN ACT 302

AN ACT *to amend* 97.20 (2) (a), 97.27 (2), 97.29 (2) (a), 97.30 (2) (a) and 97.42 (2) (a) of the statutes; **relating to:** licenses for new dairy plants, food warehouses, food processing plants, retail food establishments, and meat establishments.

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

SECTION 1. 97.20 (2) (a) of the statutes is amended to read:

97.20 (2) (a) *License requirement.* Except as provided in par. (e), no person, including this state, may operate a dairy plant without a valid license issued by the department for that dairy plant. A dairy plant license expires on April 30 annually and, except that a license issued for a new dairy plant on or after January 30 but before May 1 expires on April 30 of the following year. A dairy plant license is not transferable between persons or locations.

SECTION 2. 97.27 (2) of the statutes is amended to read:

97.27 (2) LICENSE REQUIRED. No person may operate a food warehouse without a valid license issued by the department for the food warehouse. A food warehouse license expires on June 30 annually, except that a license issued for a new food warehouse on or after March 30 but before July 1 expires on June 30 of the following year. Every food warehouse shall have a separate license. A license is not transferable between persons or food warehouse locations. Application for a license shall be made on a form provided by the department and shall be accompanied by applicable fees required under sub. (3).

An application shall include information reasonably required by the department for licensing purposes.

SECTION 3. 97.29 (2) (a) of the statutes is amended to read:

97.29 (2) (a) *Requirement.* Except as provided under par. (b), no person may operate a food processing plant without a valid license issued by the department for that food processing plant. A license expires on March 31 annually, except that a license issued for a new food processing plant on or after January 1 but before April 1 expires on March 31 of the following year. Each food processing plant shall have a separate license. A license is not transferable between persons or locations. Application for a license shall be made on a form provided by the department and be accompanied by the applicable fees required under sub. (3). An applicant shall identify the categories of food processing activities which the applicant proposes to conduct at the food processing plant. An application shall include additional information which may reasonably be required by the department for licensing purposes.

SECTION 4. 97.30 (2) (a) of the statutes is amended to read:

97.30 (2) (a) *Requirement.* Except as provided under par. (b), no person may operate a retail food establishment without a valid license issued by the department or an agent city or county. Licenses expire on June 30 annu-

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

ally, except that a license issued for a new retail food establishment on or after March 30 but before July 1 expires on June 30 of the following year. Each retail food establishment shall have a separate license. A license is not transferable between persons or establishments. Application for a license shall be made on a form provided by the department, or by the agent city or county, and be accompanied by the applicable fees required under sub. (3) or s. 97.41. An application shall indicate whether food processing is conducted at the establishment and shall specify the nature of any food processing activities. An application shall include other information reasonably required by the department, or by the agent city or county, for licensing purposes.

SECTION 5. 97.42 (2) (a) of the statutes is amended to read:

97.42 (2) (a) No person may operate an establishment as defined in sub. (1) (d) without a valid license issued by the department for each such establishment. That license expires on June 30 annually, except that a license issued for a new establishment on or after March 30 but before July 1 expires on June 30 of the following year. No license may be issued unless the applicant has complied with the requirements of this section. The annual license fee is \$200, except the annual license fee shall be \$80 for those establishments engaged only in slaughtering uninspected animals or poultry or processing uninspected meat as a custom service, and not in other operations subject to a license under this section. No person may be required to obtain a license under s. 97.29 or 97.30 for activities licensed under this section or which is inspected under 21 USC 451 to 695.