

Ag 88


STATE OF WISCONSIN)
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DEPARTMENT OF AGRICULTURE)

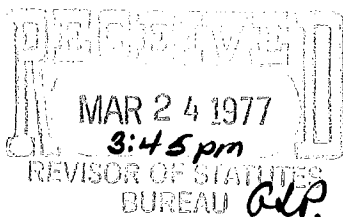
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Robert F. Thayer, Administrator, Marketing Division of the State of Wisconsin Department of Agriculture, and custodian of the official records of the Marketing Division, do hereby certify that the annexed order creating rules relating to the establishment of a Wisconsin cheese logotype, Wis. Adm. Code Chapter Ag 88, Wisconsin Cheese Logotype, was duly adopted by this department on March 24, 1977.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand at Madison, Wisconsin, this 24 day of March, 1977.


Robert F. Thayer, Administrator
Marketing Division



ORDER OF THE STATE OF WISCONSIN DEPARTMENT OF AGRICULTURE
CREATING AND ADOPTING RULES

Pursuant to authority vested in the State of Wisconsin Department of Agriculture by section 100.057, Wis. Stats. (Chapter 323, Laws of 1975), the State of Wisconsin Department of Agriculture hereby creates and adopts rules as follows:

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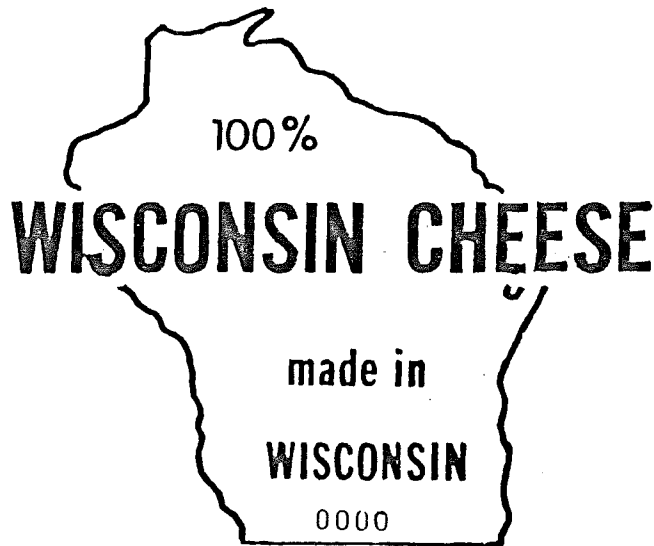
WISCONSIN CHEESE LOGOTYPE

Ag 88.01 Definitions. (1) "Department" means the state of Wisconsin department of agriculture.

(2) "Official logotype" means an identifying trademark or symbol, as prescribed in this chapter, which may be stamped, imprinted on, affixed to, or made a part of any label of cheese manufactured in this state to identify or distinguish it as being "100% Wisconsin cheese".

Ag 88.02 Official logotype design and use. (1) The official logotype shall consist of a miniature outline map of the boundaries of Wisconsin, with the words "WISCONSIN CHEESE" appearing across the upper two-thirds of the map in large bold faced type or lettering larger than any other words or figures in the logotype, and extending partially beyond the outside boundaries of the outline map. The figures "100%", in fine-line type or lettering no more than half the height of the words "WISCONSIN CHEESE", shall be centered in the intervening space

between the words "WISCONSIN CHEESE" and the top of the map. In the lower half of the map there shall appear the words "made in", to be followed immediately below with the word "WISCONSIN", in bold faced type or lettering approximately one-half the size of the words "WISCONSIN CHEESE". The words "made in" shall be in bold faced, lower case type or lettering. The factory or other identification number assigned to persons authorized to use the logotype shall be centered in the intervening space between the word "WISCONSIN" and the bottom line of the map, in type or lettering approximately one-half the size of the word "WISCONSIN". All type or lettering shall be easily readable and so spaced and designed as to present a symmetrical appearance within the logotype, as illustrated in the official model set forth below:



(2) The official logotype shall be proportionate in size to the size of any package or container label or labeling on which it is to be used.

(3) The official logotype may be affixed to and used only on cheese manufactured in this state entirely from milk produced

under and meeting sanitary and quality standards equal to or greater than those established under sections 97.24 and 97.52, Wis. Stats., or rules adopted thereunder for the production and distribution of milk, and which otherwise conforms to all applicable standards and requirements of Chapter 97, Wis. Stats., relating to the manufacturing, labeling and sale of cheese.

Ag 88.03 Registration. (1) No person shall use or affix the official logotype on any cheese, or its wrapper or container, without first registering with the department and obtaining a permit authorizing its use in connection with the manufacture, labeling and sale of Wisconsin cheese. Applications for registration shall include the business name and address of the manufacturer or labeler and such other information concerning use of the logotype as required by the department. Persons authorized to use the official logotype shall be issued an identification number for use in the logotype. In the case of a manufacturer, the number shall be the same as the factory number previously assigned. The number assigned shall be centered directly below the word "WISCONSIN" in the bottom portion of the map as specified under section Ag 88.02.

(2) Permits shall be issued without the payment of any fee and be valid for a period of 2 years after date of issuance, and may be renewed for like periods upon expiration thereof and qualification of the applicant. Permits may be denied, suspended or revoked if the logotype is used contrary to requirements of this chapter or the permit holder uses or aids or abets the use

of the logotype on cheese not manufactured in this state. Registrants shall at all times keep the department informed of any changes in plant operations affecting use of the logotype.

(3) Permits may not be granted to non-resident packagers and labelers, but this does not prohibit the use, on Wisconsin cheese cut and packaged in another state, of logotype labels furnished by a Wisconsin permit holder who is also the supplier of the cheese on which the logotype is to be used. Permit holders may, in connection with the sale or shipment of bulk lots of Wisconsin cheese to out-of-state buyers, include with each shipment such quantity of labels as may be necessary for the labeling of individual packages of cheese to be derived from the bulk lot. It shall be the duty of permit holders to monitor the use of logotype labels furnished by them to assure that such logotype labels will not be used on cheese other than Wisconsin cheese sold by the Wisconsin permit holder.

Ag 88.04 Official logotype use. (1) FACTORY MARKINGS.

(a) Rind cheese shall be plainly marked at the factory with the official logotype stamped or imprinted on the surface of the rind, or a label attached thereto, and also on the outer surface of the box or carton containing the cheese, or any label attached to such box or carton.

(b) Rindless cheese shall be plainly marked at the factory with the official logotype stamped or imprinted on the inner wrap or sleeve, and also on the outer surface of the box or carton containing the cheese, or any label affixed or attached to such box or carton.

(2) PACKAGED CHEESE. Cheese cut, packaged or wrapped and offered for sale at wholesale or retail shall be plainly marked with the official logotype stamped or imprinted on the wrapper of the cheese or a label affixed or attached thereto.

Ag 88.05 Records. All persons registered and authorized to use the official logotype shall keep records of all cheese on which the official logotype is used, to include the source, quantity and type of cheese on which it is used, the place where such cheese is cut, packaged and labeled, and points to which cheese bearing the logotype is shipped for ultimate sale or distribution. Permit holders furnishing logotype labels to out-of-state buyers shall keep records of the quantity of labels included with each bulk shipment. Records shall be kept for a period of one year and be made available for department inspection.

The rules contained herein shall take effect as provided in section 227.026, Wis. Stats.

Dated: March 24, 1977.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE

By Robert F. Thayer
Robert F. Thayer, Administrator
Marketing Division