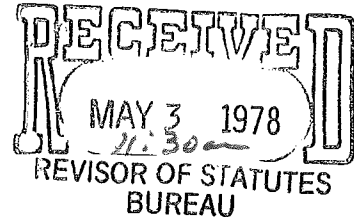


Ag 83

STATE OF WISCONSIN)
DEPARTMENT OF AGRICULTURE,) SS
TRADE & CONSUMER PROTECTION)



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Norm E. Kirschbaum, Administrator, Food Division, and custodian of the official records of said Division do hereby certify that the annexed order repealing and adopting rules relating to cheese grades; Wis. Adm. Code Chapter Ag 83, Swiss Cheese, was duly adopted by the Department on May 2, 1978.

I further certify that said copy has been compared by me with the original on file in the 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 2nd day of May, 1978.

N. E. Kirschbaum
Administrator, Food Division

ORDER OF THE STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
REPEALING AND ADOPTING RULES

Pursuant to authority vested in the State of Wisconsin Department of Agriculture, Trade and Consumer Protection by sections 93.07(1), 93.09, and 93.10, Wis. Stats., the State of Wisconsin Department of Agriculture, Trade and Consumer Protection hereby repeals and adopts rules as follows:

Section 1. Chapter Ag 84 of the Wis. Adm. Code is repealed.

Section 2. Chapter Ag 83 of the Wis. Adm. Code is adopted to read:

CHAPTER AG 83
SWISS CHEESE

Ag 83.01 Definitions.

(1) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(2) "Grader" means a person licensed by the department under s.93.11, Stats., to grade cheese, or a department employee authorized to grade cheese.

(3) "Cheese" means Swiss cheese.

(4) "Code number 55" means a code number assigned to the state of Wisconsin under a federal voluntary national uniform coding system developed under Public Law 89-306 for the identification of packages of milk and milk products and recommended for use by states by the Ninth National Conference on Interstate Milk Shipments.

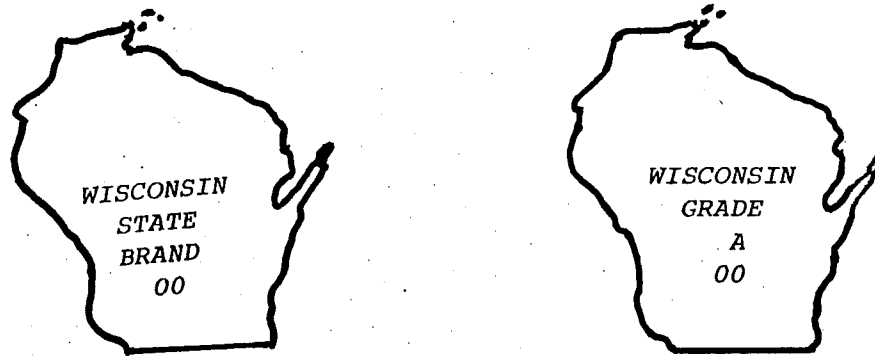
Ag 83.02 Factory Marks. All cheese manufactured in Wisconsin shall be identified at the factory with the type of cheese; the word "Wisconsin" or code number "55"; the Wisconsin factory serial number designated by the department; the month, day and year it was manufactured, and a vat designation by letters or numerals when more than one vat of cheese is manufactured on the same day. Identification marks shall be legibly or conspicuously imprinted or stamped on the cheese, its wrapper or container or a tag attached thereto. Such marking shall be in substantially one of the following alternative forms:

SWISS CHEESE	SWISS CHEESE
WISCONSIN	55 1402 VAT A
1402 VAT A	NOV 8 77
NOV 8 77	

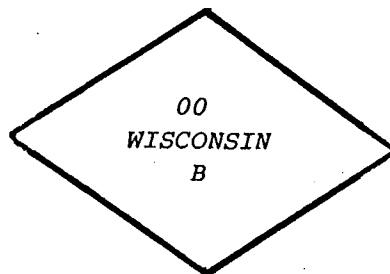
Ag 83.03 Grades. Grades of cheese manufactured in Wisconsin are WISCONSIN STATE BRAND or WISCONSIN GRADE A, WISCONSIN B, WISCONSIN C and WISCONSIN D. Cheese represented to be of a grade prescribed herein shall conform to the standards and specifications for such grade and be graded by a licensed grader or by the department in accordance with grade standards prescribed in this chapter.

Ag 83.04 Grade Marks. Cheese graded by licensed graders shall be plainly marked to indicate its grade and the grader's license number. Grade marks shall be applied to the cheese or its wrapper or container, or to a tag attached thereto before it enters retail channels, leaves the state, is used in the manufacture of another food product, or otherwise delivered to any person other than one engaged in the grading of cheese in this state prior to further sale or shipment.

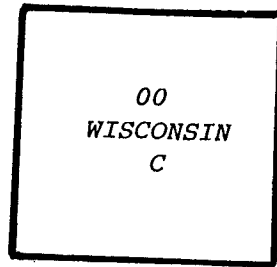
(1) WISCONSIN STATE BRAND OR WISCONSIN GRADE A. The grade mark for Wisconsin State Brand or Wisconsin Grade A shall consist of a miniature outline map of the boundaries of Wisconsin with the words "WISCONSIN STATE BRAND" or "WISCONSIN GRADE A" and the grader's license number being enclosed within the outlined map and so spaced and designed as to be easily readable and present a symmetrical appearance, in substantially the following form:



(2) WISCONSIN B. The grade mark for Wisconsin B shall consist of a diamond-shaped border with the word and letter "Wisconsin B" and the grader's license number being enclosed within the border and so spaced and designed as to be easily readable and present a symmetrical appearance, in substantially the following form:



(3) WISCONSIN C. The grade mark for Wisconsin C shall consist of a square-shaped border with the word and letter "Wisconsin C" and the grader's license number being enclosed within the border and so spaced and designed as to be easily readable and present a symmetrical appearance, in substantially the following form:



(4) WISCONSIN D. The grade mark for Wisconsin D shall consist of the word and letter "Wisconsin D" followed immediately below with the grader's license number so spaced and designed as to be easily readable and present a symmetrical appearance, in substantially the following form:

WISCONSIN D
00

(4) NOT GRADED. Cheese which has not been graded shall be plainly marked "Not Graded" in prominent and conspicuous lettering. Such marking shall be applied to the cheese, its wrapper or container, or to a tag attached thereto. Marking shall be done at the factory or the warehouse to which it is first delivered in this state. Cheese which has not been graded shall as a condition of sale conform to the moisture and milkfat requirements under section Ag 83.15.

Ag 84.05 Standards; Wisconsin State Brand or Wisconsin Grade A. Cheese labeled or sold as Wisconsin State Brand or Wisconsin Grade A shall conform to the following standards:

(1) It has well-developed eyes, so set that there are not less than one nor more than eight eyes to a plug drawn for testing. The majority of the eyes shall be 11/16 to 13/16 inch in diameter. An occasional dull, nutshell or dead-eye shall not disqualify the

cheese for this grade provided each of the plugs drawn for testing does not contain in excess of one dull, nutshell or dead-eye.

(2) It is uniformly firm and elastic, free from splits, after set, not pinholey, spongy or bloated. An occasional pick or check located not more than 1 inch from the surface shall not disqualify the cheese for this grade.

(3) It is clean and desirable in flavor and aroma. The age of the cheese shall be considered, but the flavor and aroma shall be characteristic of Swiss cheese. It shall be free from objectionable or foreign flavor or odor.

(4) It is well-shaped. Its surface is even, closed, and reasonably flat, sound and clean, and practically free of mold.

(5) It has reasonably uniform salt taste.

(6) It is uniform in color, without specks or other discolorations.

(7) The cheese shall not be less than 7 inches nor more than 8½ inches in height.

Ag 83.06 Standards; Wisconsin B. Cheese which does not qualify as Wisconsin State Brand or Wisconsin Grade A, shall qualify for Wisconsin B if it conforms to the following standards:

(1) The set shall contain not less than 3 nor more than 10 eyes to a plug drawn for testing.

(2) The majority of the eyes shall be in the range of from 1/2 to 13/16 inch in diameter. One dull, nutshell or dead eye to each plug drawn shall not disqualify the cheese for this grade.

(3) It may have a body somewhat weaker than is permitted in Wisconsin State Brand or Wisconsin Grade A. It may be over set if

not otherwise solid and without cabbage. It shall be free of splits but may have a limited number of picks and checks.

(4) It has a clean and desirable flavor and aroma characteristic of Swiss cheese, age being taken into consideration.

(5) It is well-shaped. Its surface is even, closed and reasonably flat, is sound and clean and is practically free of mold.

(6) It has reasonably uniform salt taste.

(7) It is uniform in color, without specks, but may have slightly uneven color directly under the surface.

(8) The cheese shall not be less than 7 inches nor more than 8½ inches in height.

Ag 83.07 Standards; Wisconsin C. Cheese which does not qualify for the grades in section Ag 84.05 and 84.06 may qualify for this grade if it is small-eyed, large-eyed, over set, sparse set, has after set, dead-eyed, or a combination thereof, but shall not be totally blind or totally pinholey. It may have cabbage, splits, checks, picks, blowholes, some flavor defects, or a combination thereof.

Ag 83.08 Standards; Wisconsin D. Damaged cheese which may be marketable as natural cheese, except for the damage, and cheese which does not meet the requirements of any of the higher grades shall qualify for this grade.

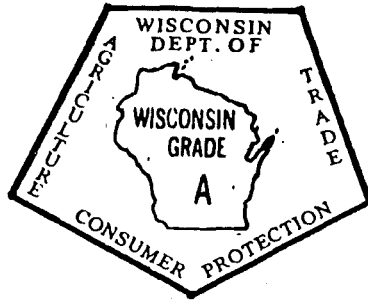
Ag 83.09 State grade certification. (1) The department may, upon request, certify the grade of cheese and charge a fee sufficient to cover the cost of such service. The grade mark or design used by the department in its grade certification may be applied to

consumer packages, if such cheese is packaged within 35 days from the date of grade certification by the Department. If the cheese is not packaged within such 35-day period, it shall be regraded by the department. Persons participating in the grade certification program shall maintain records as required under section Ag 83.16(2) and submit such records or reports to the department upon request.

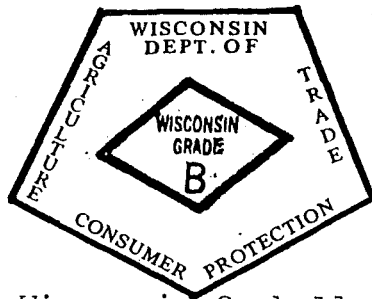
(2) No person shall use or apply the state grade certification mark or design on any cheese which is not graded and certified to by departmental graders.

Ag 83.10 State certification grade marks. State certification grade marks shall consist of a pentagonal design polygon with the words "WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION" appearing around the inside perimeter of the polygon. The word "WISCONSIN" shall appear across the top with the words "DEPT. OF" immediately below. The word "AGRICULTURE" shall appear along the left side, "TRADE" along the right side, and "CONSUMER PROTECTION" along the bottom of the polygon. Grade mark designation for grades of cheese shall be centered in the polygon and consist of the following grade mark designs:

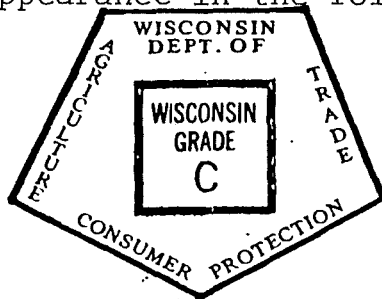
(1) STATE BRAND OR WISCONSIN GRADE A. State Brand or Wisconsin Grade A shall appear only under the Wisconsin Grade A designation and consist of a miniature outline map of the boundaries of Wisconsin with the words "WISCONSIN GRADE A" appearing within the outline map in prominent lettering so spaced and designed as to present a symmetrical appearance in the following style or form:



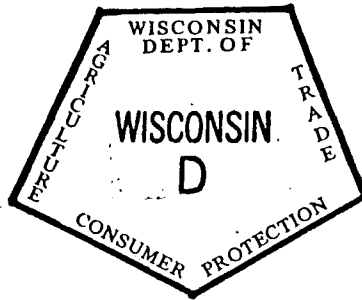
(2) WISCONSIN B. Wisconsin B shall consist of a diamond-shaped design with the words "Wisconsin Grade B" appearing within the design in prominent lettering so spaced and designed as to present a symmetrical appearance in the following style or form:



(3) WISCONSIN C. Wisconsin C shall consist of a square-shaped design with the words "Wisconsin Grade C" appearing within the design in prominent lettering so spaced and designed as to present a symmetrical appearance in the following style or form:



(4) WISCONSIN D. Wisconsin D consists of the word "Wisconsin" being centered within the polygon in prominent lettering with "D" centered immediately below Wisconsin, and so spaced and designed as to present a symmetrical appearance in the following style or form:



Ag 83.11 Arbitration; appeal grading. (1) In case of disagreement between producers and buyers as to the grade of cheese, either party may request the appointment of a grade arbitration committee. The committee shall consist of 3 arbitrators, selected from a list of licensed graders compiled by the Department. Each party shall appoint one arbitrator and 2 arbitrators shall appoint a third. The decision of the arbitration committee on the grade of the cheese shall bind the parties. The party who requests arbitration shall pay the costs thereof.

(2) In lieu of arbitration any party affected by a grade certification may appeal to the department as provided in s.93.11, Stats. Such appeal shall be requested in writing and shall be made not later than 10 days following the date of delivery to the purchaser.

Ag 83.12 Regrading. Cheese that has developed any objectionable off-flavor or other defects after being graded shall be regraded. Original grade marks shall be removed and correct grade marks applied.

Ag 83.13 Explanation of terms used in grading. Terms used in grading shall have the following meanings: (1) LACKING IN FLAVOR DEVELOPMENT. Little, if any, cheese flavor development.

(2) CLEAN AND DESIRABLE FLAVOR. Free from objectionable or foreign flavor or odor.

(3) FEED. A flavor carried from the milk to the cheese sometimes derived from spoiled silage, sweet clover or similar feeds.

(4) BITTER. A flavor that is distasteful, similar to the after taste of quinine.

(5) UTENSIL. A flavor suggestive of improper or inadequate washing and sterilization of milking machines, utensils, or factory equipment.

(6) METALLIC. A flavor imparting a puckery sensation suggestive of metal.

(7) YEASTY. A flavor indicating yeasty fermentation.

(8) OLD MILK. A flavor lacking freshness.

(9) WEEDY. A flavor carried from the milk to the cheese caused by some weeds eaten by the animal.

(10) BARNY. A flavor characteristic of the odor of a barn.

(11) LIPASE. A flavor suggestive of rancidity.

(12) WELL DEVELOPED EYES. Eyes perfectly developed, glossy or velvety, with smooth even walls, round or slightly oval in shape, fairly uniform distribution throughout the cheese.

(13) DULL, GLOSSY EYES. Eyes that have lost some of their bright, shiny luster.

(14) DEAD EYES. Developed eyes that have completely lost their glossy or velvety appearance, and may also be rough.

(15) NUTSHELL. A rough nutshell appearance on the surface of the eyes.

(16) SMALL-EYED. Eyes that are less than 1/2 of an inch in diameter.

(17) LARGE-EYED. Eyes that are 1 inch in diameter.

(18) BLIND. Having no eye formation.

(19) SET. The number of eyes to a plug or any given area of cheese.

(20) SPARSE SET. Less than 3 eyes per plug.

(21) OVER SET. More than 8 eyes per plug.

(22) AFTER SET. Small eyes caused by secondary fermentation interspersed with well developed eyes.

(23) PINHOLEY. Cheese that has numerous holes the size of a pin puncture to the size of a pin head.

(24) PLUG. A round tapered plug of cheese 6 inches long, 3/4 inch in diameter at the large end and 9/16 inch in diameter at the small end drawn from the cheese with a cheese trier.

(25) ELASTIC. Not dry or brittle. When a plug of cheese is bent, it will tear and not break short, showing flexibility.

(26) SPLITS. Sizable cracks usually in parallel layers and usually clean cut, found within the body of the cheese.

(27) PICKS. Small, irregular or ragged openings within the body of the cheese.

(28) CHECKS. Small, short cracks within the body of the cheese.

(29) CABBAGE. Cheese having eyes so numerous within the major part of the cheese that they crowd each other leaving only a paper thin layer of cheese between the eyes, causing the cheese to have a cabbage appearance and very irregular eyes.

(30) BLOWHOLES. Abnormally large internal eyes caused by gas formations.

(31) ONE SIDED. A cheese reasonably developed on one side and showing imperfections on the other.

(32) FINE-BODIED. Lacking firmness but not pasty.

(33) WEAK-BODIED. Soft, easily deformed by pressure.

(34) PASTY. The body of the cheese is soft with a pasty-like consistency.

(35) WOODY. A faded white appearance that sometimes varies throughout the cheese, but appears mostly under the surface.

(36) SPECKS. Small discolored area within the cheese approximately 1/16 inch or less in diameter, caused by eye developing bacteria.

(37) SOUND RIND. The outer surface possesses a firmness and thickness consistent with the size of the cheese that is sufficient to protect the interior quality from external defects such as checks, cracks, breaks, or soft spots.

(38) WRAPPER OR COVERING. Material next to the surface of the cheese used as an enclosure or covering of the cheese.

(39) ADEQUATELY AND SECURELY ENVELOPED. The wrapper or covering is properly sealed and entirely encloses the cheese with sufficient adherence for ample protection and prevention of mold.

(40) SOFT SPOTS. Spots that are soft to the touch and which are usually faded and moist.

(41) RIND ROT. Soft spots in the rind that have become discolored and have decayed and decomposed.

(42) MOLD UNDER THE WRAPPER OR COVERING. Mold spots that have formed under the wrapper of the cheese but have not entered the cheese.

(43) SOILED SURFACE. Discoloration of the surface of the cheese.

Ag 83.14 Cheese trier; plugging. (1) Swiss cheese shall be graded on the basis of not less than one nor more than 3 plugs from a cheese. The plug shall be drawn through the use of a cheese trier.

(2) Cheese triers used for the plugging of cheese shall be constructed with 6 inch barrels tapered from 13/16 inch in diameter at the large end down to 10/16 inch in diameter on the small end. The cutting depth of the barrel is 9/16 inch at the small end and 3/8 inch at the large end.

Ag 83.15 Moisture and milkfat. (1) Cheese for which grade standards have been adopted under this chapter shall contain not more than 41% moisture and not less than 43% milkfat in the solids.

Ag 83.16 Records. (1) Licensed graders shall maintain records showing the name of the person for whom cheese is graded, the quantity or amount of cheese graded, the identification of grading of each lot of cheese and the date of grading. Such records shall be maintained for a period of 2 years and be subject to inspection by the department upon request.

(2) Any person participating in the state grade certification program shall maintain a record of the type and amount of cheese graded, the date of grading by the department and the amount of cheese sold or distributed in packages bearing the state certification grade mark. Such records shall be maintained for a period of 2 years and be subject to inspection by the department upon request.

Ag 83.17 Cheese from other states and foreign countries.

Cheese originating from other states or foreign countries and assembled in Wisconsin for further packaging or distribution, shall be plainly marked or identified on the outside container or receptacle in which it is received as follows:

(1) Cheese originating from foreign countries shall be identified by type and the name of country of origin.

(2) Cheese originating from other states shall be identified by type and the name of the state of origin or the code number assigned to states by the Ninth National Conference of Interstate Milk Shipments, and the factory serial number assigned to the dairy plant in which the cheese was produced.

Ag 83.18 Exemption. The department, to facilitate the development of improved methods of production and marketing, may exempt any cheese producer or dealer from specific requirements of this chapter. Application for exemption shall be made in writing setting forth the reasons for the requested exemption. The department shall issue a letter of exemption only upon a satisfactory showing by the applicant that his proposed method of producing or marketing cheese is both unique and commercially feasible, and that compliance with certain specific requirements would be unduly restrictive or otherwise deter development of the proposed new production or marketing method.

Ag 83.19 Authority; enforcement. This chapter is adopted under authority of ss.93.07(1), 93.09 and 93.10, Stats. Any person violating this chapter may be punished as provided in s.93.21, Stats.

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

Dated this 2nd day of May, 1978.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE & CONSUMER PROTECTION

By

Norm E. Kirschbaum

Norm E. Kirschbaum
Administrator
Food Division