

CR 85-99

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

RECEIVED

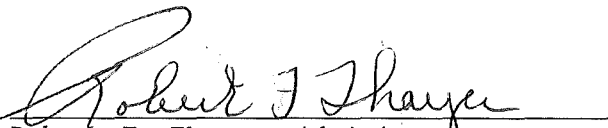
AUG 22 1985
4:10 pm
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Robert F. Thayer, Administrator, Marketing Division, State of Wisconsin, Department of Agriculture, Trade and Consumer Protection, and custodian of the official records of said Division, do hereby certify that the annexed order amending rules relating to labeling packages of potatoes with the Wisconsin seal of quality under the potato marketing agreement, section Ag 151.07(3), Wis. Adm. Code, was duly approved and adopted by the Department on August 22, 1985.

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 TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Department offices in the city of Madison, this 22nd day of August, 1985.


Robert F. Thayer, Administrator
Marketing Division

ORDER OF THE STATE OF WISCONSIN

DEPARTMENT OF AGRICULTURE, TRADE & CONSUMER PROTECTION

ADOPTING, AMENDING OR REPEALING RULES

1 To amend Ag 151.07(3) relating to labeling packages of
2 potatoes with the Wisconsin seal of quality under the potato
3 marketing agreement.

Analysis

Prepared by the Wisconsin Department
of Agriculture, Trade & Consumer Protection

The amendment to s. Ag 151.07(3) makes it easier and less costly for handlers to label packages of potatoes with the "Wisconsin Finest" seal of quality. Labeling requirements currently prohibit the use of supplementary adhesive labels, which necessitates maintaining a costly double inventory of bags or cartons if handlers elect to use the marketing agreement. The amendment allows handlers to use adhesive labels on packages of potatoes meeting Wisconsin grade standards. The option of using bags or cartons imprinted with the Wisconsin seal of quality or affixing supplementary adhesive labels allows greater participation in the marketing agreement by smaller handlers.

4 Pursuant to authority vested in the state of Wisconsin depart-
5 ment of agriculture, trade and consumer protection by s. 96.15,
6 Stats., the department amends rules relating to package labeling
7 requirements under the potato marketing agreement, and interpreting
8 section 96.04, Stats., as follows:

9 Section 1. Ag. 151.07(3) is amended to read:

10 Ag 151.07(3) PACKAGE LABELING. The When potatoes intended
11 for fresh use meet Wisconsin grade standards and are labeled under
12 this section, the affected handler shall imprint the Wisconsin seal
13 of quality shall be imprinted without embellishment on packages of
14 the bags or cartons in which the potatoes intended for fresh use
15 and may not be applied by adhesive or pressure or heat sensitive

1 devices are to be packaged, or affix to the package at the time of
2 inspection an adhesive label bearing the Wisconsin seal of quality.
3 No supplementary labels bearing the Wisconsin seal of quality other
4 than labels authorized under this subsection may be affixed to
5 packages of potatoes, and no handler may incorporate the Wisconsin
6 seal of quality as the principal part of a private label or brand.
7 Packages bearing the Wisconsin seal shall identify the commodity as
8 potatoes meeting the Wisconsin grade and include the name and busi-
9 ness address of the affected handler. It is the responsibility of
10 each affected handler to ensure that the packaging requirements of
11 this agreement are met.

12 Section 2. The rules contained in this order shall take
13 effect upon assent by not less than 50 percent of the affected
14 handlers who assented to the marketing agreement, as provided in
15 s. 96.08(2)(b), Stats., and on the first day of the month following
16 publication in the Wisconsin administrative register. as provided
17 in s. 227.026(1)(intro.), Stats.

18 Dated: August 22, 1985.

19
20 STATE OF WISCONSIN
21 DEPARTMENT OF AGRICULTURE,
22 TRADE AND CONSUMER PROTECTION

23 By Robert F. Thayer
24 Robert F. Thayer, Administrator
25 Marketing Division

26 RFT/m/T5/20/D2
27 8/15/85