

1981 Senate Bill 773

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## CHAPTER 345 , Laws of 1981

AN ACT to repeal and recreate 97.48 (1) of the statutes, relating to labeling requirements for nondairy food products and granting rule-making authority.

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

SECTION 1. 97.48 (1) of the statutes is repealed and recreated to read:

97.48 (1) (a) In this subsection "dairy product" means all of the following:

1. A product, except mellorine, described in 21 CFR 131 to 135.
2. "Butter" as described in s. 97.01 (12).
3. "Yogurt", "lowfat yogurt" and "skim milk yogurt" or "nonfat yogurt" as described by rule by the department.

(b) No person may sell any food product that is made to resemble a dairy product unless:

1. The food product bears a statement on the main display panel of the package or container stating that the food is an artificial product in letters not less than one-half the size of the product name, but in no case may the letters be smaller than 18 point type size; and

2. The label on the food product clearly states the major differences in ingredients and nutritional value between the artificial product and the dairy product it is made to resemble.

(c) A food product is made to resemble a dairy product if any of the following occurs:

1. The food physically resembles a dairy product.
2. The packaging used resembles the packaging used for a dairy product.
3. The food is displayed in a retail establishment in the same manner as a dairy product.

4. Verbal or pictorial expressions are used on the food's labeling or in advertisements or other similar devices used to promote the food that state or imply that the food is a dairy product.

(d) The department may adopt rules that are needed to implement and administer this subsection.

SECTION 2. **Effective date.** This act takes effect on January 1, 1983.