

1983 Assembly Bill 398

Date of enactment: February 21, 1984
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1983 Wisconsin Act 131

AN ACT to renumber and amend 100.055; and to create 97.175 and 97.177 of the statutes, relating to the licensing of cheese graders and butter graders, the grading and labeling of cheese and butter and granting rule-making authority.

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

SECTION 1. 97.175 of the statutes is created to read:

97.175 Butter and cheese grader license requirements. (1) In this section and ss. 97.176 and 97.177, "butter grader" or "cheese grader" means a person who grades butter or cheese.

(2) No person may act as a butter grader or a cheese grader without a license granted by the department. A person desiring a license shall apply on a form furnished by the department and shall pay to the department a fee of \$25. Prior to issuing a license, the department shall require the applicant to demonstrate his or her competence to act as a butter grader or a cheese grader in a manner determined by the department. A license expires on September 30 of the 2nd year commencing after the date of issuance.

(3) Butter graders and cheese graders must act in accordance with the standards and requirements established under ss. 93.07, 97.176 and 97.177.

(4) The department may deny, suspend or revoke a license under this section by an order if the department finds that the applicant or licensee is not qualified to act as a butter grader or cheese grader or that the applicant or licensee has applied inaccurate grades or has obtained the license by fraud, perjury or through error. The department shall notify the applicant or licensee of the order and shall follow the procedures for issuing a special order under s. 93.18.

SECTION 2. 100.055 of the statutes is renumbered 97.176, and 97.176 (3), (4) and (6) as renumbered, are amended to read:

97.176 (3) As used in this section, score or grade means the grading of butter by its examination for flavor and aroma, body and texture, color, salt, package and by the use of other tests or procedures approved by the department of agriculture, trade and consumer protection for ascertaining the quality of butter in whole or in part.

(4) Details for methods and procedures to be used for ascertaining quality, for labeling, and for arbitrating disputes with respect to grades, shall be developed by the ~~supervisory grading service (department of agriculture, trade and consumer protection)~~ department as a result of public hearings to be held at a convenient location in the state.

(6) Butter which carries the state grade labels shall be graded by ~~approved industry~~ butter graders licensed under s. 97.175 and under the supervision of the ~~supervisory grading service (department of agriculture, trade and consumer protection)~~ department.

SECTION 3. 97.177 of the statutes is created to read:

97.177 Cheese; grading; labeling. (1) The department shall by rule adopt standards for grades of cheese manufactured in Wisconsin.

(2) Cheese which carries a state grade must be graded by a cheese grader licensed under s. 97.175 and must conform to the standards for the grade. Graded cheese must be plainly labeled to indicate the grade of the cheese and the license number of the cheese grader.

(3) Cheese manufactured in Wisconsin must be labeled on either the cheese itself or the container at the factory where it is manufactured. The label must remain on the cheese until the cheese is used in a different food manufacturing process or relabeled by the buyer for later sale. The label must contain all of the following:

- (a) The type or variety of cheese.
 - (b) The word Wisconsin or the code number 55.
 - (c) The factory number designated by the department.
 - (d) The date of manufacture.
 - (e) The number of the vat in which the cheese was manufactured if more than one vat of cheese was manufactured in the factory on the same day.
- (4) The department may adopt rules for the administration of this section.
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