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# HOWARD MARKLEIN

STATE SENATOR • 17<sup>TH</sup> SENATE DISTRICT

**February 9, 2021**

**Senate Committee on Agriculture and Tourism  
Testimony on Senate Bill (SB) 81, SB 82, and SB 83**

Thank you committee members for hearing Senate Bill (SB) 81, SB 82, and SB 83, which create truth in food labeling laws to support Wisconsin's agriculture economy and alleviate consumer confusion.

My Senate district is one of the most agriculture-dependent districts in Wisconsin. I consistently hear from farmers that they are growing increasingly frustrated with the number of imitation products that are on the market. Walk into most grocery stores and the "2% Milk" will be sitting right next to the "Soy Milk" and "Almond Milk". Imitation dairy products, such as imitation cheese, butter, and ice cream, are all in close proximity to each other on shelves. In restaurants, the 100% plant-based "Impossible Burger" is listed under the "Hamburger" section of the menu. This is not right.

In fact, the Wisconsin Cheesemakers, Edge Dairy Farmer Cooperative and the Dairy Farmers of Wisconsin recently conducted a study to determine whether consumers know the difference between real cheese and plant-based, imitation "cheese". They found that 48% of people surveyed thought that fake, plant-based "cheese" was actually real cheese!

In response, I have introduced these three bills to tell the truth in food labeling. I want consumers to know what they are buying and eating. I want consumers to know the differences between the real, nutritious products grown and made by our farmers versus the fake, lab-grown, plant-based products that are passing for milk, meat, cheese, ice cream and other dairy products in our state. I want consumers to fully recognize the nutritional differences between real dairy and meat versus imitation food by the same name.

SB 81, the truth in dairy product labeling bill, will ensure that if a package says "cheese" or "yogurt", the product actually has dairy in it. 90% of Wisconsin's milk goes into cheese. It is concerning that many consumers don't know the difference between which products contain milk and which do not. This confusion, oftentimes without the consumer knowing otherwise, hurts Wisconsin's dairy industry. Wisconsin would be the first state to pass a truth in labeling law for dairy products!

SB 82, the truth in meat labeling bill, will make labeling plant-based meat alternatives and cell-cultured meat alternatives as "meat" or a similar term, such as "burger", "sausage", "chicken wing", or "bacon", illegal. This legislation would apply to packaging on products sold in stores, menus in restaurants, and promotional materials.



State of Wisconsin  
Governor Tony Evers

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**Department of Agriculture, Trade and Consumer Protection**  
Secretary-designee Randy Romanski

February 9, 2021

**FROM:** Bradford Steine, Legislative Liaison  
Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP)

**TO:** Senate Committee on Agriculture and Tourism

**RE:** **Senate Bill 68 Relating to: farmland preservation implementation grants, agreements, and tax credits and making an appropriation.**

Chair Ballweg and members of the Senate Committee on Agriculture and Tourism:

Thank you for the opportunity to submit written testimony in support of Senate Bill 68 (SB 68) relating to farmland preservation implementation grants, agreements, and tax credits. I appreciate the chance to share more information with you on how DATCP works to help preserve this valuable part of our state's heritage and economic well-being.

Overall, DATCP is excited about the many proposals currently circulating in support of Wisconsin agriculture. The Governor's announcement of his agricultural initiatives in the upcoming budget last week was certainly welcome news. The items before the committee today, paired with the Governor's proposed investments in meat processing, local and international markets, soil and water conservation, and farmer mental health programming will further strengthen Wisconsin's agricultural economy. The department looks forward to working with members of this committee and the legislature on the many bi-partisan issues currently before us.

**Background:**

Wisconsin's farmland preservation program was established in the 1970s. It is administered by DATCP and provides land use tools to help ensure the availability and viability of farmland for current and future generations of farmers. The FPP also protects soil and water by requiring that landowners meet state conservation standards if they wish to claim the annual tax credit. The program also encourages farmers and local governments to work together to promote their local agricultural economy.

County conservation departments play an integral role in the success of Wisconsin's farmland preservation program. Each year, in addition to the statutory obligation to conduct soil and water conservation compliance checks each year, these departments support local efforts to certify new farmland preservation zoning districts and designate new Agricultural Enterprise Areas (AEAs). The increased number of zoning districts and AEAs opens the door for more farmland owners to participate in the farmland preservation program.

Throughout the years, there have been many conversations on how to improve our state's farmland preservation program. The most recent changes were adopted by 2009 Act 28. That law established the current framework of the program by creating a three-tiered system of tax credits:

DATCP believes these proposed changes to the farmland preservation program will increase interest in the program, protect our state's farmland, and promote investment in Wisconsin agriculture. We look forward to working with the bill author, members of the committee and the legislature this session.

**DATCP is also supportive of the following bills before the committee today:**

- Senate Bill 81 relating to: labeling food as a type of dairy product or as a dairy ingredient
- **Senate Bill 82** relating to: labeling a food product as meat
- Senate Bill 83 relating to: labeling a food product as a type of milk

Thank you again for the opportunity to testify in support of SB 68. Feel free to reach out to me at (608) 224-5024 or [Bradford.Steine1@legis.wisconsin.gov](mailto:Bradford.Steine1@legis.wisconsin.gov) if you have any questions.

Sincerely,

Bradford Steine  
Legislative Liaison  
Wisconsin Department of Agriculture, Trade and Consumer Protection

DATE: February 9, 2021

TO: Chairperson Ballweg and  
Members of the Senate Committee on Agriculture and Tourism

FROM: Debi Towns, Sr. Director of Government Relations  
WI Farm Bureau Federation

RE: Support for Senate Bills 81, 82, & 83 – Truth in labeling for Dairy Products, Meat and Milk

Good morning and thank you for this opportunity to speak on Senate Bills 81, 82, and 83 relating to the labeling of Dairy Products, Meat and Milk, respectively. I will talk about all three in this testimony as the Wisconsin Farm Bureau Federation is supporting all three bills and our rationale is the same for all three bills.

As food producers in an international marketplace, many of our members strive very hard to provide high-quality products which are recognized by that market. Among these products are fluid milk, dairy products originating from milk and meat.

Over decades, Wisconsin farmers have established a reputation in the marketplace, both domestically and internationally, for their products using the accepted definitions of “milk, dairy and meat”. The consumer could rely on these accepted definitions and confidently know that if they were purchasing “milk” it was produced by a mammal and that the label “dairy” meant the product originated with milk. Consumers also knew that if they purchased a product identified as “meat”, it originated from the flesh of animal. Consumers also know these terms are identified with quality & safety but most of all nutritional value.

At Farm Bureau, we are well aware that food product labeling is governed overall at the federal level by the Food & Drug Administration (FDA). The purpose for bringing these bills before the Wisconsin legislature at this time is to encourage Wisconsin to recognize the value of the marketplace trust our farmers have spent years building and join with other states whose food producers also rely on the accepted terminology in the markets as they currently discuss this same issue. We are anticipating that the FDA will need to take up this issue at some point in the future, and when that happens, we would like Wisconsin agriculture to be positioned to join with those who stand to protect the food markets we have worked so hard to establish.



Tuesday, February 9, 2021

Senate Committee on Agriculture & Tourism

Re: Senate Bill 82 - labeling a food product as meat and granting rule-making authority.

Nick Levendofsky – Government Relations Director, Wisconsin Farmers Union

Chair Ballweg and members of the committees, thank you for the opportunity to submit testimony in support of Senate Bill 82.

Wisconsin Farmers Union's grassroots, member-driven policy reads:

***“Wisconsin Farmers Union supports all manufacturer efforts to provide transparency of any and all products and practices along the supply chain, in response to the demand of consumers. The Wisconsin Farmers Union opposes any efforts to deny consumers access to such information or any regulatory efforts to conceal or confuse at any point along the supply chain,” and***

***“Wisconsin Farmers Union asserts that products labeled as “meat,” and products bearing species-specific designations such as beef, pork, chicken, turkey, lamb, fish, etc., must come from the carcass of a slaughtered animal. Products derived from culturing or reproducing animal proteins or tissues outside of the body of a living animal must be clearly labeled as “lab-grown,” “produced in a factory,” “not derived from harvested livestock,” or similar labeling.”***

Thank you for this opportunity to share Wisconsin Farmers Union's thoughts on this issue.

If you have any questions or concerns, please email me at [nick@wisconsinfarmersunion.com](mailto:nick@wisconsinfarmersunion.com) or call 608-514-4541.



DAIRY BUSINESS ASSOCIATION | DAIRY FORWARD

February 9, 2021

Senate Committee on Agriculture and Tourism  
Testimony in Favor of SB 81, SB 82, SB 83

Good morning. My name is Chad Zuleger and I am associate director of government affairs for the Dairy Business Association. Thank you, Chairwoman Ballweg, Ranking Member Pfaff and committee members, for holding this hearing. DBA supports these bills and appreciates leadership shown by Sen. Marklein, Rep. Tranel and Rep. Moses in authoring this legislation. Additionally, we are grateful for everyone who signed on as co-sponsors.

DBA represents all aspects of the dairy community. Our membership includes dairy farmers, dairy processors and a variety of other businesses that help to make farmers and processors successful in our state. Together, our members produce milk and other dairy products and, of course, every dairy farmer is also a beef producer. This means DBA members are keenly interested in all three of these bills.

The “Truth in Food Labeling” package is meant to promote fairness in the marketplace and ensure that customers have correct information needed to make informed buying decisions. We are not seeking to remove the offending products from the shelves. These products have a certain market share. We do, however, object to allowing them to build their market share by misusing the good name of wholesome and nutritious products that our producers have spent years promoting, while paying into the Milk Marketing Board for this promotion. In jurisdictions that have enforced sensible labeling protections, we have seen that plant-based products continue to do well. For example, in Canada, you will not have a problem finding almond beverages in your local grocery store and, they sell just fine without misappropriating the name milk.

Giving customers good information starts by accurately labeling food products. It is not too much to ask that food products meet the standards of identity reflected by the product’s name. Indeed, that seems like the very least we can do. Milk is already very clearly defined in federal law as: “the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows.” Imitation products that do not meet this definition should not be allowed to be labeled as “milk.” Yet, the federal government has refused to enforce existing law. The problem is similar for other dairy products. For example, existing federal law contains a standard of identity for cheese and it is clear that cheese should be made from milk. However, non-dairy products that label themselves cheese, mozzarella, cheddar and the like are finding their way into grocery stores.

This failure to enforce labeling requirements has gone on far too long. The dairy community has repeatedly voiced concerns, but the Food and Drug Administration has not acted. Customers agree that clarity is needed. According to a 2018 National Tracking Poll, respondents said “milk” should not be used to market non-dairy beverages by over a 2-to-1 ratio. A subsequent survey conducted by IPSOS, a global market research and consulting firm, found that 80 percent of



CONTACT: Matt Ludlow  
(608) 632-1607 / mlludlow@gmail.com

Senate Agriculture Committee Hearing – February 9, 2021  
**Support for 2021 Senate Bill 82 – Meat Labeling Legislation**

Matt Ludlow, WCA President, WCA

Senator Ballweg and Members of the Committee. My name is Matt Ludlow. My father and I operate Rush Creek Ranch, a beef cattle ranch, near Viroqua. Additionally, I am the President of the Wisconsin Cattlemen's Association. **The Wisconsin Cattlemen's Association fully SUPPORTS SB 82, legislation which would allow only products that are derived from animals to be labeled as "meat."**

The Wisconsin Cattlemen's Association is the state trade association representing Wisconsin's beef producers. Our mission statement is, "To promote the Wisconsin beef business through advocacy, leadership, and education." Our support for SB 82 is two-fold: protecting the integrity of our beef products and alleviating consumer confusion in regard to the actual labeling of products.

**Clear meat labeling standards are important to Wisconsin beef producers.** We believe that the establishment of clear labeling standards will protect the integrity of our beef products. A significant amount of time, effort, and money has been spent by our industry to establish and maintain a healthy, wholesome, and nutritious product. The proper labeling of true beef products as meat will help protect the integrity that has been established over time.

**We are concerned that unclear product labels create consumer confusion.** The National Cattlemen's Beef Association (NCBA) conducted a survey in September 2019 of almost 2,000 consumers to test confusion between alternative meat products and actual meat. The survey asked consumers questions using specific brand labels. More than half of the consumers surveyed noted confusion due to the use of the words "beef" or "meat" on the label of an entirely plant-based product. Use of the terms "beef," "meat" or "meatier" on the label of a plant-based or cell cultured products can cause consumer confusion.

We do not believe that labeling standards will interfere with technology or the development of alternative products. Proper labels will simply ensure that any alternative meat products do not mislead consumers into thinking that they are purchasing our Wisconsin-grown beef.

**Clear definitions under Wisconsin law and federal law will also help both state and federal governments know how to best regulate these products.** Regulation of food and food products is managed by multiple state and federal agencies. Although this legislation addresses labeling for consumer sales, clear definitions will likely become increasingly important as regulations evolve to address regulation of new food products, such as cultured meat or plant-based meat substitutes.

Senator Ballweg and members of the Committee, thank you for holding a hearing on this legislation.



Wisconsin Pork Association Testimony  
Senate Agriculture Committee Hearing – February 9, 2021  
**Support for 2021 Senate Bill 82 – Meat Labeling Legislation**

Senator Ballweg and Members of the Committee, thank you for accepting written testimony from the Wisconsin Pork Association (WPA) expressing our **support for 2021 SB 82**, legislation which would regulate the labeling of products as “meat” in Wisconsin.

The WPA is the state trade association representing Wisconsin’s pork producers from across the state. The WPA strives to ensure the future success of the Wisconsin pork industry through representing the interests of our farmer and industry members. As an association, we put a strong emphasis on social issues, public and government policies, environmental issues, animal welfare and food safety.

**Wisconsin’s Pork Producers Support Clear Labeling Standards.** Clear labeling standards will establish standards of identity for both meat and meat-substitute products. We believe that all consumers should be able to easily identify what they are buying. They should not be confused about whether a product is pork or a plant-based product or a cultured cell product.

Plant-based Products. Technology around the development of plant-based products is trying to mimic the taste, appearance and eating experience of real pork products. They are deliberate imitations, which is fine, as long as consumers are aware that they are purchasing imitation products and not Wisconsin-raised pork. The imitation product should not be able to imitate a real meat label.

Cultured Meat Cell Products. It is equally critical that cultured meat cell products are labeled correctly when they are introduced to consumers in retail settings. Products containing only muscle cells or fat cells cannot be called “pork” without qualification. Pork has more in it than just muscle or fat cells and this is fundamental to the eating experience and nutritional profile that consumer expect to enjoy when eating our products. We want to maintain the integrity of our product in the eyes of the consumer.

**Labeling standards are important for our Wisconsin-raised pork products and will help to maintain their identity as pork – raised by Wisconsin farm families.** We are concerned that unclear product labels will create consumer confusion in the grocery store. In contrast, defined labeling guidelines can make it clear to consumers *how a food product was produced and what it contains.*

Thank you for allowing us to submit comments in support of SB 82.

*Dr. James Magolski, Ph.D., President*  
*Keri Retallick, Executive Vice President*  
*(608) 723-7551 / kretallick@wppa.org*



## Kranner, Benjamin

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**From:** Scott Weathers <scottw@gfi.org>  
**Sent:** Monday, February 8, 2021 5:08 PM  
**To:** Sen.Ballweg  
**Cc:** Graham, Amanda; Karbowski, Ben; Rasmussen, Bethany; Specht-Boardman, David  
**Subject:** Testimony on SB 81, 82, and 83

Senator Ballweg,

Please find below GFI's written testimony for SB 81, 82, and 83, which will be heard in the Senate Agriculture & Tourism Committee. Thank you for your time. Please let me know if there is any more information that I can provide.

Sincerely,  
Scott Weathers  
Senior Policy Specialist, The Good Food Institute

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Good morning. I'm Scott Weathers and I represent The Good Food Institute, a nonprofit organization dedicated to using markets and innovation to promote a healthy and sustainable food system. I'm here today to respectfully oppose Senate Bills 81, 82, and 83 and any amended versions of these bills that may appear.

These bills prohibit two kinds of product labels: those that use meat and dairy terms on plant-based products, such as almond milk and veggie burgers, and those that use meat terms on meat grown directly from animal cells, commonly called "cultivated meat."

We oppose these bills for three main reasons. In short, they're unnecessary, they're unconstitutional, and they're bad for businesses and consumers here in Wisconsin. Let me go into detail on each of those points.

First, these bills are solutions in search of a problem. Despite what some might say, consumers aren't confused by plant-based foods. According to the International Food Information Council, over 90% of consumers understand that plant-based milks don't come from cows. People buy products like almond milk and black bean burgers because they know what they are — not because they believe they're something else. It's just common sense. In fact, federal law already prohibits false and misleading food labels, and anybody who's unclear about a product can easily flip the package over and read the ingredient list. It's right there in black and white. These bills suggest that consumers aren't smart enough to know what they're buying, but science and common sense say otherwise.

Second, these bills violate the Constitution. Three states that have passed similar laws have been sued on First Amendment grounds. In 2019, a federal court issued a preliminary injunction preventing enforcement of Arkansas' label censorship law — which sought to limit usage of meat terms on plant-based food labels — because it likely violates the First Amendment. The judge wrote that the plaintiff would "likely prevail" on First Amendment grounds. Simply put, governments cannot restrict commercial speech unless the restriction directly advances a substantial government interest. Here, there's no evidence of consumer confusion, and federal law already requires that the ingredients be listed on the label. Consumer choice — not censorship — should determine winners and losers in the marketplace.

To: Members of the Wisconsin State Assembly  
Fr: Plant Based Foods Association  
Date: February 8, 2021  
**Re: Opposition to Wisconsin Senate Bills 81, 82, and 83**

On behalf of the Plant Based Foods Association (PBFA), the trade association representing the plant-based food industry, we submit comments in opposition to Wisconsin Senate Bills [81](#), [82](#), and [83](#), which would restrict plant-based food companies' rights to use commonly understood terms for plant-based alternatives to animal products. As presently drafted, each bill presents a misguided attack on innovation and all food producers' free speech rights to use words and phrases that consumers understand.

PBFA was founded in 2016 to represent a rapidly growing industry comprised of companies producing plant-based meat, egg, and dairy. The association has quickly grown to include more than 180 members, ranging from small start-up food companies to established national brands to ingredient suppliers and restaurants. Many PBFA members make and sell plant-based dairy, including plant-based milks, cheeses, yogurts, and ice cream.

SB 81, SB 82, and SB 83 are unnecessary, unconstitutional, and misguided. Each bill presents an attempt to impose new restrictions on how plant-based companies communicate with their customers, infringing on their First Amendment rights to label their foods with clear, non-misleading terms.

Companies selling plant-based foods use easy-to-understand, clear, and descriptive language on their labels, including words such as "yogurt," "milk," and "sausage" with well-understood qualifiers. Plant-based milk and dairy use qualifiers such as "non-dairy" and "dairy-free," while plant-based meats use language including "meatless" and "meat-free." All segments of the plant-based market can utilize the term "plant-based" to make their labels clear to consumers.

**SB 81, SB 82, and SB 83 each present a solution in search of a problem:**

- Under SB 81: *"no person may label a food product as, or sell or offer for sale a food product that is labeled as, a type of dairy product, such as cream, yogurt, or cheese, unless the food product is a dairy product."* **SB 81 is an unnecessary and unconstitutional restriction on plant-based dairy products.**
- Under SB 82: *no person may label a food product as, or sell or offer for sale a food product that is labeled as, any type of meat product or "meat" unless the food product is derived from an edible part of the flesh of an animal or any part of an insect and does not include cultured animal tissue that is produced from animal cell cultures.* **SB 82 is an unnecessary and unconstitutional restriction on plant-based meat products.**
- Under SB 83: *"no person may label a food product as, or sell or offer for sale a food product that is labeled as, any type of milk unless the food product is cow's milk or hooved or camelid mammal's milk or a type of milk that meets certain specifications under federal law."* **SB 83 is an unnecessary and unconstitutional restriction on plant-based milk.**

**Unnecessary**

Consumers are not confused about plant-based foods. They purposefully seek out plant-based options for various personal reasons, including taste, health benefits, environmental impact, and animal welfare.



- In 2018, the Missouri Department of Agriculture released the following guidance describing how the agency will accept the labeling of plant-based meat alternatives: “*Prominent statement on the front of the package, immediately before or immediately after the product name, that the product is “plant-based,” “veggie,” or a comparable qualifier...*”.
- In September 2019, Mississippi Department of Agriculture enacted regulations that state in part: “...one or more of the following terms, or a comparable qualifier, is prominently displayed on the front of the package: “meat free,” “meatless,” “plant-based,” “veggie based,” “made from plants,” “vegetarian,” or “vegan.”

### **Misguided**

Finally, and unfortunately, this bill does nothing to help Wisconsin. Plant-based food companies present a tremendous opportunity for American farmers. By working to rig the system against the plant-based foods industry, these bills hinder the potential for farmers to benefit from this exponentially growing segment. While it may be easy to blame the problems farmers face on the plant-based foods industry, it is neither helpful nor accurate and a disservice to farmers.

Competing industries must not be allowed to stifle the exponential growth of plant-based food to further their agendas. It is time for the meat and dairy lobby to move on and address the real, fundamental structural and economic problems facing America’s farmers.

The Wisconsin Senate should reject Senate Bills 81, 82, and 83 on the grounds that they are not sound public policy; instead, the bills put the government in the position of picking winners and losers in the market. Each bill is a direct attack on our members’ First Amendment rights to communicate using terms that have been accepted as the common and usual names for more than 30 years without confusion.

# APBI

THE ALLIANCE FOR PLANT BASED INCLUSION.

February 8, 2021

To: Members of the Senate Committee on Agriculture & Tourism

Re: Opposition to SB 81, SB 82, SB 83

The Alliance for Plant Based Inclusion (APBI) must oppose the legislation noted above. These bills as drafted would unfairly and unnecessarily restrict how the makers of plant-based foods use common and usual terms to describe their products.

APBI, a coalition of the world's largest plant-based food companies is focused on ensuring policies around plant-based foods afford consumers the greatest choice, clarity, and flexibility in the marketplace. APBI supports clear and transparent marketing and labeling for plant-based foods, including allowing the use of traditional meat, dairy and seafood terms and indicators, as long as the products are clearly labeled as plant-based, or with a similar easily understood reference.

The Alliance opposes these bills because they are solutions in search of problems and will only serve to confuse rather than inform. Our companies already clearly indicate on their labels that their alternative dairy and meat products are plant-based, vegan, vegetarian, or they utilize other equivalent terms that have been understood and commonly accepted by consumers for more than 30 years. Alliance member companies want to make it clear to shoppers what it is they are buying because their successes are built upon years of trust between their brands and consumers.

Some states have enacted legislation addressing labeling of alternative protein products. However, in nearly every case, those states made allowances for the use of qualifying terms to identify them and the legislation was passed without opposition from plant-based food manufacturers.

We believe there is room in the market for everyone and that governments should not be in the position of picking winners and losers within an industry. Alliance members feel strongly that labels using terms that consumers understand is the best way to inform them while avoiding the need for government intervention.

We must respectfully oppose SB 81, SB 82 and SB 83 as introduced.

We would be happy to discuss this with the members of the Agriculture & Tourism Committee, please feel free to contact Dan Colegrove at (202) 329 – 6242 or at [dc@prismgroup.global](mailto:dc@prismgroup.global).

Impossible Foods Testimony  
Wisconsin State Senate Committee on Agriculture and Tourism  
February 9, 2021  
SB 82

Good morning, Chairwoman Ballweg and members of the committee. My name is Tyler Jameson, and I'm vice president of government relations at Impossible Foods Inc. I speak today in opposition to Senate Bill 82, which would impair our First Amendment right to free speech and unduly restrict our ability to accurately describe our product in a way that consumers understand.

Impossible Foods makes delicious foods directly from plants, including the Impossible Burger™, which debuted in 2016 and is now available in restaurants and grocery stores across the country, as well as in Canada, Hong Kong, Macau, and Singapore. We also produce Impossible Pork Made from Plants and Impossible Sausage Made from Plants, which are available nationwide in diners and restaurants.

Made for meat-lovers, the Impossible Burger is made primarily of soy protein, potato protein, deflavored coconut and sunflower oil, and the molecule heme, which is responsible for the Impossible Burger's "meaty" smell and flavor.

The Impossible Burger and the other foods we plan to make are not animal meat, they are plant-based meat. Our entire reason for existence is to make delicious food directly from plants that replicates the taste, texture, and aroma of meat from animals, and we want consumers to know it. We would never try to trick consumers into thinking they were eating meat from livestock – we do the exact

opposite by clearly emphasizing to consumers that our food comes from plants. That is the whole point.

Since launching in restaurants in 2016 and in retail stores in 2019, we have been highly sought after because of what we are—made from plants. Our retail labels display the highlighted words “made from plants” with the same prominence as “burger,” right on the front of the label. The back says “All flavor. No cow.”

We oppose SB 82 because it will impede our ability to market our product truthfully to Wisconsin consumers as what it is: plant-based meat.

If we aren't able to accurately describe our product in words consumers understand, they won't buy it. Calling the burger “plant-based meat,” combined with the ground beef appearance of the burger, lets home cooks know what to do with the burger when they unwrap it: cook it like they would ground beef.

In fact, SB 82 will likely increase consumer confusion. If we have to call it something like “red ground soybeans” or “plant-based mashed food product,” nobody will know how to use it, or we'll have to go to extreme lengths to describe something that can be more simply described by saying what it is: plant-based meat. Similarly, “pork” describes a specific sensory experience, and if we were to rename Impossible Pork Made from Plants “Impossible White Protein Made From Plants,” consumers would wonder if it will taste like pork, chicken, turkey, etc.

There is no evidence that consumers are confused by what “plant-based meat” means, particularly when our label also says “no cow.” The same consumers who understand that turkey bacon comes from turkey, cauliflower rice comes from

cauliflower, and peanut butter comes from peanuts are all clear that “plant meats” come from plants.

Federal labeling laws already prohibit deceptive labeling. The FDA has policies and procedures in place to take action against companies that aren’t clear about the ingredients in their food products. From a practical and business perspective, creating a patchwork of labeling laws—and introducing new standards that will have to be interpreted and fleshed out—is unnecessarily burdensome and costly.

We’re a startup company growing fast in markets across the country. To continue growing, we need consistency and certainty in the law.

For these reasons, we believe this bill isn’t needed, sets a bad precedent, and seeks to prohibit lawful and desirable commercial speech. We respectfully urge a no vote.