
Wisconsin Legislative Council

ACT MEMO



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December 15, 2023

2023 Wisconsin Act 75 [2023 Senate Bill 290]

Third-Party Food Delivery Services

2023 Wisconsin Act 75 addresses certain aspects of third-party food delivery services.

First, the act requires a third-party food delivery service to provide a publicly accessible process for a restaurant to request removal from the delivery service's ordering system. If a restaurant requests removal, a delivery service must provide a dated receipt of the request to the restaurant and must remove the restaurant from the ordering system, referred to in the act as a "digital network," within three business days of receiving the request.

If a removal is requested, a third-party food delivery service may not list the restaurant, offer the restaurant's food, or use the restaurant's name, address, logo, or menu without consent. To do so, consent must be mutually acknowledged electronically or in writing, between a person having authority to act on behalf of the restaurant and the third-party food delivery service.

If a third-party food delivery service violates the removal provisions described above, the Department of Agriculture, Trade and Consumer Protection may enforce the requirements and a delivery service may be subject to a civil forfeiture that increases with repeat violations.

Additionally, the act specifies that a third-party food delivery service is prohibited from soliciting requests from consumers for a restaurant to be added to the delivery service's ordering system.

When a restaurant is listed in the ordering system, the act requires a third-party food delivery service to share basic ordering information with the restaurant. Basic ordering information includes the contents of orders, and the times that orders are placed.

Lastly, a delivery service must also ensure that delivery workers have knowledge of basic food safety principles, including personal hygiene and avoiding cross-contamination.

Effective date: July 1, 2024

For a full history of the bill, visit the Legislature's [bill history page](#).

MSK:jal