

1 (e) If the department orders a meat establishment operator to trim any carcass to
2 remove unfit or unwholesome meat, the operator shall complete the trimming before
3 placing the carcass in a cooler.

4 (f) A meat establishment operator shall clean and sanitize facilities, equipment
5 and utensils that have come in contact with any condemned animal or meat before using
6 the facilities, equipment or utensils in any other slaughter or processing operations.

7 (11) HUMANE SLAUGHTER AND TREATMENT. (a) Persons slaughtering food
8 animals shall use humane methods. Humane methods include any of the following:

- 9 1. Captive bolt devices.
- 10 2. Electrical stunning.
- 11 3. CO2 gas chamber.
- 12 4. Gun shot.
- 13 5. Established religious dietary law procedures, such as rabbinical (kosher)
14 procedures.

15 (b) Persons receiving, transporting or holding food animals for slaughter shall do
16 so in a humane manner.

17 (c) If a meat establishment receives food animals that cannot stand or walk, the
18 meat establishment operator shall do all the following:

- 19 1. Maintain separate holding pens for those animals, and protect them from
20 physical contact with other animals.
- 21 2. Maintain skids, mats or other department-approved conveyances for moving
22 those animals humanely. A meat establishment operator may not drag an animal that

01-04-10
38 (28)

1 cannot stand or walk, but shall move the animal by means of an approved conveyance.

2 (d) Meat establishment operators shall construct and maintain livestock pens,
3 driveways and ramps to prevent injury to animals.

4 (e) Persons moving food animals to slaughter shall do so in a manner that
5 minimizes animal excitement and discomfort. Persons driving food animals to slaughter
6 shall avoid excessive use of driving implements that may cause unnecessary excitement,
7 pain or injury to the animals. Persons driving food animals to slaughter may not stab or
8 prod the animals with sharp driving implements.

9 (f) Food animals held at meat establishments pending slaughter shall have access
10 to drinking water. If they are held for more than 24 hours, they shall also have access to
11 feed.

12 (g) No livestock, ratites or captive game animals may be shackled, hoisted, stuck
13 or cut for slaughter, except according to rabbinical (kosher) or other established religious
14 dietary practices, until the livestock are rendered insensible to pain.

15 **NOTE:** See s. 95.80, Stats.

16
17 (h) If a bullet, bolt or other slaughter projectile penetrates the brain of a
18 slaughtered food animal, that brain may not be used for human food.

19 (i) No head, head meat or cheek meet from a food animal slaughtered by gunshot
20 may be used for human food. This paragraph does not prohibit the use of the animal's
21 tongue for human food.

22 **(12) HORSES AND HORSE MEAT.** No person may slaughter or process equines at a
23 meat establishment where other domesticated food animals are slaughtered or processed.

1 Equine carcasses, equine meat and equine meat food products shall be conspicuously
2 labeled “**HORSE MEAT**” or “**HORSE MEAT PRODUCT**” in a manner approved by
3 the department.

4 (13) RECORDS. (a) Except as provided in par. (b), a person who slaughters a
5 food animal for human consumption, or who processes the meat of a food animal for
6 human consumption, shall make a record of that slaughter or processing. The record shall
7 include all the following:

- 8 1. The date and time of slaughter or processing.
- 9 2. The number and type of animals slaughtered, and the disposition of the
10 carcasses.
- 11 3. The type and amount of meat processed, and the disposition of that meat.
- 12 4. Any certificates required under sub. (7).
- 13 5. Other relevant information required by the department.

14 (b) Paragraph (a) does not require a meat establishment operator to duplicate
15 slaughter records kept by the department’s inspector.

16 (c) A person required to make a record under par. (a) shall keep that record for at
17 least 3 years, and shall make the record available to the department for inspection and
18 copying upon request.

19 **ATCP 55.08 Custom slaughter and processing. (1) GENERAL.** A person
20 providing a custom slaughter or custom processing service shall do all the following:

- 21 (a) Hold a current annual license if required under s. ATCP 55.03.
- 22 (b) Hold a current annual registration certificate if required under s. ATCP

1 55.09(2).

2 (c) Comply with applicable requirements under s. ATP 55.07.

3 (d) Mark or label all the resulting meat and meat food products **“NOT FOR**
4 **SALE,”** as provided in sub. (2). A person providing a custom slaughter or custom
5 processing service shall keep the service recipient’s meat and meat food products separate
6 from all other food that the service provider holds for others or offers for sale. The
7 person may not sell any of the service recipient’s meat or meat food products, or
8 commingle them with any food that the person holds for others or sells.

9 **NOTE:** For example, a person providing custom slaughter or custom processing
10 services may not combine saved carcass parts, such as head meat, tongues,
11 hearts, fat or trimmings, with meat or meat food products processed for
12 other service recipients or purchasers.

13 (e) Return all of the resulting meat and meat food products to the service
14 recipient. The service recipient may use them only for the service recipient’s personal
15 consumption, which may include consumption by the service recipient’s immediate
16 family, immediate household and nonpaying guests.

17 (f) Comply with s. ATP 55.09 if the person engages in mobile custom slaughter
18 or mobile custom processing.

19 (g) Conduct custom slaughter and processing operations in a sanitary manner.

20 (h) Keep complete and accurate records of all custom slaughter and processing
21 transactions. The service provider shall keep the records for at least 3 years, and shall
22 make the records available to the department for inspection and copying upon request.

23 (2) **MARKING OR LABELING MEAT.** (a) A person providing a custom slaughter or
24 custom processing service shall mark or label the resulting meat and meat food products
25

1 with all the following information:

- 2 1. The words “**NOT FOR SALE**” in block letters at least 3/8 inch high.
- 3 2. The name or commonly recognized trade name of the person providing the
- 4 custom slaughter or custom processing service. If the person performs the service at a
- 5 meat establishment licensed under s. ATCP 55.03, the person may use the meat
- 6 establishment number assigned under s. ATCP 55.03(10) instead of the person’s name. If
- 7 the person provides the service as a mobile custom slaughter or mobile custom processing
- 8 service, the person may use the registration number assigned under s. ATCP 55.09(2)(g)
- 9 instead of the person’s name.

10 **NOTE:** The following examples illustrate possible label formats under par. (a):

| | | |
|----|---------------------|---------------------|
| 11 | NOT FOR SALE | NOT FOR SALE |
| 12 | XYZ Market | WIS 000 |

14 (b) A person providing a custom slaughter service shall mark the carcass of each

15 custom slaughtered animal with the information required under par. (a). The person shall

16 mark each side, quarter, detached organ and other part of the carcass. The person shall

17 mark the carcass immediately after slaughter, before the carcass leaves the slaughter site.

18 (c) A person providing a custom processing service shall apply the label under

19 par. (a) to all packages and containers of custom processed meat and meat food products

20 when that meat or those meat food products are packaged or placed in those containers.

21 The person shall individually label sausages that have a diameter of more than

22 1-1/2 inches if those sausages are individually packaged, or if they are shipped or stored

23 in unsealed containers.

1 (3) CUSTOM SLAUGHTER AND PROCESSING SCHEDULE. (a) Except as provided in
2 par. (b), a meat establishment operator may not engage in custom slaughter or custom
3 processing operations at a meat establishment while the operator is simultaneously doing
4 any of the following at that establishment:

5 1. Slaughtering food animals for sale.

6 2. Processing the meat of food animals for sale.

7 (b) Paragraph (a) does not apply to any of the following:

8 1. A department-inspected custom slaughter, or the custom processing of meat
9 from a department-inspected custom slaughter.

10 2. Simultaneous operations conducted in separate rooms or areas, if approved by
11 the department. The department may approve simultaneous operations that are adequately
12 separated and controlled to prevent cross-contamination or commingling of meat from the
13 separated operations.

14 **ATCP 55.09 Mobile custom slaughter and processing. (1) GENERAL.** A
15 person engaged in mobile custom slaughter or mobile custom processing shall comply
16 with s. ATCP 55.08 and this section.

17 **(2) ANNUAL REGISTRATION CERTIFICATE.** (a) No person may receive any
18 compensation, other than bartered services, for providing mobile custom slaughter or
19 mobile custom processing services unless that person holds a current annual registration
20 certificate from the department. No registration certificate is required if the person holds
21 a meat establishment license under s. ATCP 55.03.

22 (b) A registration certificate under par. (a) expires on June 30 annually.

1 (c) A person shall apply for a registration certificate under par. (a) on a form
2 provided by the department. No fee is required. The application shall include all the
3 following:

- 4 1. The applicant's correct legal name, and any trade name under which the
5 applicant does business.
- 6 2. The applicant's business address.
- 7 3. The applicant's social security number if the applicant is an individual.

8 **NOTE:** See s. 93.135(1)(nm), Stats.

- 9 4. Other relevant information required by the department.

10 (d) The department shall grant or deny an application under par. (c) within 30
11 days after the department receives a complete application.

12 (e) The department may deny, suspend or revoke a registration certificate under
13 par. (a) for cause, as provided in s. 93.06(7), Stats. Cause may include a violation of this
14 chapter.

15 **NOTE:** The procedure for suspending or revoking a registration certificate, or for
16 contesting the denial of a registration certificate, is set forth in
17 ch. ATCP 1.

18 (f) The department may issue a registration certificate under par. (a) subject to
19 conditions, or may impose conditions on an existing registration certificate, as provided
20 in s. 93.06(8), Stats.

21 **NOTE:** The procedure for imposing conditions on an existing registration
22 certificate, or for contesting conditions imposed by the department, is set
23 forth in ch. ATCP 1.

24 (g) The department shall assign, to each person holding a registration certificate
25
26

1 under par. (a), a registration number that uniquely identifies that person.

2 **(3) FACILITIES AND SANITATION.** (a) Mobile custom slaughter and mobile custom
3 processing operations shall be conducted under clean and sanitary conditions.

4 (b) Vehicles and facilities used in mobile custom slaughter and mobile custom
5 processing operations shall be designed and constructed so they can be kept clean and
6 sanitary.

7 (c) Facilities shall be available, at every mobile custom slaughter and mobile
8 custom processing site, to clean and sanitize equipment and utensils.

9 **(4) EQUIPMENT AND UTENSILS.** Equipment and utensils used in mobile custom
10 slaughter and mobile custom processing operations shall be of sanitary design and
11 construction, and shall be kept clean and sanitary. Meat contact surfaces of equipment
12 and utensils shall be cleaned and sanitized after each use, and more frequently as
13 necessary, to keep them clean and sanitary.

14 **(5) PERSONNEL.** Personnel engaged in mobile custom slaughter or mobile custom
15 processing operations shall wear clean and washable outer clothing, and shall wash and
16 rinse their hands sufficiently during the operations to prevent contamination of carcasses,
17 meat and meat food products.

18 **(6) WATER SUPPLY.** Potable water shall be available for all mobile custom
19 slaughter and mobile custom processing operations. There shall be enough water for
20 thorough cleaning of all carcasses, equipment and utensils. Water shall be available
21 during all slaughtering, processing and cleanup operations.

22 **(7) CARCASS TRANSPORTED TO MEAT ESTABLISHMENT FOR CUSTOM PROCESSING.**

1 (a) A person performing a mobile custom slaughter service shall return the resulting meat
2 to the service recipient at the slaughter site, except that the service provider may transport
3 a carcass to a meat establishment licensed under s. ATCP 55.03 for custom processing.

4 The custom processor shall return the resulting meat to the service recipient.

5 **NOTE:** See s. ATCP 55.07(9).

6 (b) Carcasses transported under par. (a) shall be transported according to s. ATCP
7 55.11. Inedible slaughter products, if transported on the same vehicle with meat, shall be
8 transported in tightly covered waterproof containers or in separate waterproof
9 compartments to prevent spillage of inedible products and contamination of meat.

10 **(8) MOBILE CUSTOM SLAUGHTER; MONTHLY REPORT.** A person holding a
11 registration certificate under sub. (2) or a license under s. ATCP 55.03 shall file a report
12 with the department for each month in which that person performs any mobile custom
13 slaughter. The person shall file the report by the 10th day of the following month on a
14 form provided by the department. The report shall include all the following information:

15 (a) The name and address of each individual for whom the person provided
16 mobile custom slaughter services.

17 (b) The number and type of animals slaughtered for each service recipient.

18 (c) The date of each slaughter.

19 (d) The disposition of each carcass. The report shall indicate whether a carcass
20 was transported to another location for processing and, if so, the location to which it was
21 transported.

22 **ATCP 55.10 Meat labels and formulas. (1) GENERAL.** Meat and meat food

1 products sold in this state shall be labeled according to this chapter and ch. ATPC 90. No
2 person may sell any misbranded meat or meat food products, or make any false, deceptive
3 or misleading representation in connection with the sale of meat or meat food products.

4 **NOTE:** See ss. 97.03, 100.18 and 100.183, Stats. Chapter ATPC 90 (fair
5 packaging and labeling) contains general requirements for the packaging
6 and labeling of food and other consumer commodities.

7
8 **(2) MEAT LABELS; GENERAL.** No person may sell any meat or meat food product
9 unless that meat or meat food product is clearly labeled with all the following:

- 10 (a) The name of the meat or meat food product.
- 11 (b) The net weight of the meat or meat food product.
- 12 (c) The name and address of the person who last processed the meat, or the name
13 and address of the legally responsible distributor for whom the meat was last processed.
- 14 (d) An inspection legend if required under sub. (3) or 9 CFR 317.2.
- 15 (e) An ingredient statement if the product contains 2 or more ingredients. The
16 ingredient statement shall contain the word **"INGREDIENTS:"** followed by a listing of
17 ingredients in order of weight.
- 18 (f) Safe handling instructions if required under 9 CFR 317.2(l).
- 19 (g) One of the following statements if the meat or meat food product is being sold
20 at retail and is perishable:
 - 21 1. "Perishable."
 - 22 2. "Keep refrigerated."
 - 23 3. "Keep under refrigeration."
 - 24 4. "Keep frozen."

1 (3) INSPECTION LEGEND. (a) Except as provided in par. (b), a license holder
2 under s. ATCP 55.03 who processes meat or meat food products from meat inspected and
3 passed by the department shall label that processed meat and those processed meat food
4 products with a state inspection legend. The legend shall appear on all packages and
5 containers of processed meat and meat food products, so that it is clearly visible to
6 prospective purchasers.

7 (b) Paragraph (a) does not apply to meat and meat food products processed at a
8 retail establishment and sold only to individual consumers at that establishment.

9 (c) Except as provided in par. (d), the state inspection legend under par. (a) shall
10 consist of an outline map of Wisconsin enclosing the words "WIS. DEPT. AGR.
11 INSPECTED" and the meat establishment number assigned under s. ATCP 55.03(10).

12 **NOTE:** Federal law prohibits the sale, *in other states*, of state-inspected meat that
13 is required to bear the Wisconsin inspection under par. (c). The following
14 is an illustration of the Wisconsin inspection legend described in par. (c):



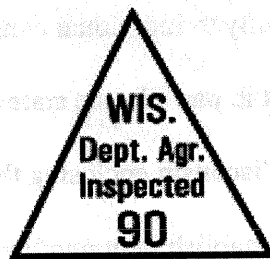
15 (d) The inspection legend under par. (a) shall consist of an equilateral or isosceles
16 triangle enclosing the words "WIS. DEPT. AGR. INSPECTED" and the meat
17 establishment number assigned under s. ATCP 55.03(10) if all the following apply:

- 18 1. The meat or meat food product contains meat from farm-raised deer, captive
19 game animals or captive game birds.
20

1 2. Meat from domesticated food animals and ratites constitutes less than 3% of
2 the product by weight.

3 3. Meat fat from domesticated food animals and ratites constitutes less than 30%
4 of the product by weight.

5 **NOTE:** Federal law does *not* prohibit the sale, in other states, of state-inspected
6 meat from *farm-raised deer, captive game animals or captive game birds*
7 (meat required to bear a triangular inspection legend under par. (d)). The
8 following is an illustration of the state inspection legend described in par.
9 (d):



10

11 (e) If space is limited, the word "INSPECTED" in the state inspection legend
12 under par. (c) or (d) may be abbreviated as "INSP'D."

13 (4) STANDARDS OF IDENTITY. Labeling of meat and meat food products shall
14 comply with applicable standards of identity in 9 CFR 319. No person may misrepresent
15 the identity of any meat or meat food product.

16 (5) FORMULA APPROVAL. (a) No person may manufacture any meat food product
17 in a meat establishment licensed under s. ATCP 55.03 unless the department first
18 approves the product formula for compliance with applicable labeling and food safety
19 requirements, including applicable standards of identity under sub. (4).

20 (b) To obtain the department's approval under par. (a), a person shall submit the
21 product formula on a form provided by the department. The form shall identify the meat,

1 chemical and other ingredients in the product, and shall include any other information
2 required by the department.

3 (c) The department shall approve or disapprove a product formula within 30 days
4 after the department receives a complete application under par. (b). The department shall
5 give the applicant written notice of its action. If the department does not approve the
6 formula, the notice shall state the department's reasons.

7 (6) LABEL APPROVAL. No person may sell any of the following meat or meat food
8 products unless the department first approves the labeling of that meat or those meat food
9 products:

10 (a) Meat or meat food products bearing labels that make health, quality or
11 nutritional claims.

12 (b) Meat from farm-raised deer, captive game animals or captive game birds, or
13 meat food products made from that meat.

14 (c) Meat or meat food products bearing labels that make claims related to
15 organizational membership or organizational standards.

16 (7) PROHIBITED LABELING PRACTICES. (a) No person may apply, to any meat or
17 meat food product, any mark, legend or label that is false, deceptive or misleading.

18 (b) No person may misrepresent that the department has inspected meat, or
19 misrepresent the department's inspection findings related to meat.

20 (c) No person may misrepresent that any meat or meat food product has been
21 processed at a licensed meat establishment, or is derived from meat inspected and passed
22 by the department.

1 (d) No person may counterfeit or use without proper authority any inspection
2 mark, label or marking device under this subsection.

3 (e) No person may wrongfully alter or remove any mark or label applied under
4 this section.

5 (f) No person may sell, transport or store any meat or meat food product that is
6 not marked, labeled or identified according to this chapter.

7 **ATCP 55.11 Transporting meat. (1) GENERAL.** A person transporting meat
8 for human consumption shall do so in a manner that keeps the meat wholesome and
9 unadulterated. Meat and meat food products for human consumption shall be refrigerated
10 during transport if they are perishable, or if they are labeled "Keep Refrigerated" or
11 "Keep Frozen." The internal temperature of the refrigerated products may not exceed 5°
12 C (41° F) at the time of delivery.

13 **(2) VEHICLES AND FACILITIES.** Vehicles and facilities used to transport meat and
14 meat food products shall be constructed and maintained to ensure that the meat and meat
15 food products arrive at their destination in a wholesome and unadulterated condition.
16 Vehicles and facilities shall be adequately equipped to ensure compliance with sub. (1).

17 **(3) UNWRAPPED MEAT.** Unwrapped meat and meat food products shall be
18 transported in enclosed vehicles equipped with tight fitting doors, and shall be protected
19 from contamination from the vehicle.

20 **ATCP 55.12 Meat brokers and meat distributors; registration. (1) ANNUAL**
21 **REGISTRATION CERTIFICATE.** No person may operate as a meat broker or meat distributor
22 without an annual registration certificate from the department, except that no registration

1 certificate is required for a meat broker or meat distributor who holds a current annual
2 meat establishment license under s. ATCP 55.03. A registration certificate expires on
3 June 30 annually. No fee is required.

4 (2) APPLYING FOR A REGISTRATION CERTIFICATE. To obtain a registration
5 certificate under sub. (1), a person shall apply on a form provided by the department. The
6 application shall include all the following:

7 (a) The applicant's correct legal name, and any trade name under which the
8 applicant does business.

9 (b) The applicant's business address.

10 (c) The applicant's social security number if the applicant is an individual.

11 **NOTE:** See s. 93.135(1)(nm), Stats.

12 (d) Other relevant information required by the department.

13 (3) ACTION ON APPLICATION. The department shall grant or deny an application
14 under sub. (2) within 30 days after the department receives a complete application.

15 (4) DENYING, SUSPENDING OR REVOKING A REGISTRATION CERTIFICATE. The
16 department may deny, suspend or revoke a registration certificate under sub. (1) for cause,
17 as provided in s. 93.06(7), Stats. Cause may include a violation of this chapter.

18 **NOTE:** The procedure for suspending or revoking a registration certificate, or for
19 contesting the denial of a registration certificate, is set forth in
20 ch. ATCP 1.

21
22 (5) CONDITIONAL REGISTRATION CERTIFICATE. The department may issue a
23 registration certificate under sub. (1) subject to conditions, or may impose conditions on
24 an existing registration certificate, as provided in s. 93.06(8), Stats.

25 **NOTE:** The procedure for imposing conditions on an existing registration

1 certificate, or for contesting conditions imposed by the department, is set
2 forth in ch. ATPC 1.

3
4 **ATPC 55.13 Prohibited practices.** No person may do any of the following:

5 (1) Process or sell, for human consumption, any unwholesome, adulterated or
6 misbranded meat.

7 (2) Slaughter any food animal, for human consumption, under unsanitary
8 conditions.

9 (3) Process, store, handle, transport or sell, under unsanitary conditions, meat or
10 meat food products for human consumption.

11 (4) Slaughter any food animal for human consumption, or process any meat or
12 meat food products for human consumption, at a place other than a meat establishment
13 licensed under s. ATPC 55.03. This prohibition does not apply to slaughter or processing
14 operations that are exempted from licensing under s. ATPC 55.03(2).

15 (5) Make any false, deceptive or misleading statement, when submitting a food
16 animal for slaughter, related to any of the following:

17 (a) The ownership, identity, origin or health status of the animal.

18 (b) The administration of any drug to the animal.

19 (c) The intended use of meat from the animal.

20 (6) Obstruct a department employee performing his or her duties. Obstruction
21 includes any of the following:

22 (a) Physical interference.

23 (b) Verbal or physical assault or abuse.

24 (c) Threatening behavior or communications.

- 1 (d) Refusal to carry out legitimate directives.
- 2 (e) Intentional acts that impede the full, effective and efficient performance of the
- 3 employee's duties.

4 **NOTE:** See s. 97.42(8), Stats.

5 (7) Wrongfully alter, deface or remove any department tag or mark applied under

6 this chapter.

7 (8) Wrongfully alter, deface or remove any label or inspection legend required

8 under s. ATCP 55.10.

9 (9) Custom slaughter a food animal, or custom process the meat of a slaughtered

10 food animal, if the person knows or has reason to know all the following:

11 (a) That the slaughter was not inspected by the department or the United States

12 department of agriculture.

13 (b) That the recipient of the custom slaughter or processing service will sell the

14 meat of that animal for human consumption, in violation of s. ATCP 55.04(1).

15 **ATCP 55.14 Enforcement. (1) INVESTIGATIONS.** The department may conduct

16 inspections and other investigations to determine compliance with this chapter and ch. 97,

17 Stats. The department may exercise its authority under chs. 93 and 97, Stats., in support

18 of its inspections and investigations.

19 **NOTE:** Under chs. 93 and 97, Stats., the department may inspect meat

20 slaughtering, processing, selling and distributing facilities and practices,

21 regardless of whether those practices occur at meat establishments licensed

22 under s. ATCP 55.03. The department will provide ante mortem and post

23 mortem slaughter inspection only for persons licensed under s. ATCP

24 55.03.

25

26 (2) MEAT HOLDING ORDER. (a) The department may issue a holding order to

1 prohibit the sale or movement of any meat or meat food product if the department has
2 reasonable grounds to suspect that the meat or meat food product is unwholesome,
3 adulterated or misbranded. The department may issue a holding order pending further
4 examination or analysis to determine whether the meat or meat food product is
5 unwholesome, adulterated or misbranded.

6 (b) The department shall serve a holding order by delivering a copy to the owner
7 or custodian of the meat or meat food products, or by placing a copy in a conspicuous
8 place on or near the meat or meat food products. A **“WIS. RETAINED”** tag applied
9 under s. ATCP 55.06(5)(f) has the effect of a holding order served under this subsection.

10 (c) A holding order remains in effect for 14 days unless the department withdraws
11 it earlier. The department may extend a holding order for one additional 14-day period by
12 re-serving the order or by leaving the **“WIS. RETAINED”** tag on the meat.

13 (d) No person may sell, move or alter any meat or meat food product under
14 holding order, except with the department’s permission. The department may authorize
15 the owner or custodian to take appropriate corrective action.

16 (e) The department may release a holding order if the department finds that the
17 suspect meat or meat food product is not unwholesome, adulterated or misbranded, or
18 that the violation has been corrected.

19 **(3) MEAT CONDEMNATION ORDER.** (a) If the department finds that meat or a meat
20 food product is unwholesome, adulterated or misbranded, the department may order the
21 owner or custodian to do any of the following:

22 1. Correct the violation within a reasonable time period specified by the

1 department.

2 2. Dispose of the meat or meat food product, in a manner specified by the
3 department. The department may order disposal of meat or a meat food product if a
4 violation cannot be corrected, or if the owner or custodian fails to correct the violation
5 within the time specified under subd. 1. Returning meat to the recipient of a custom
6 slaughter or custom processing service does not correct a violation.

7 (b) The department shall serve an order under par. (a) by delivering a copy to the
8 owner or custodian of the meat or meat food products, or placing a copy in a conspicuous
9 place on or near the meat or meat food products. An order takes effect when served. A
10 **“WIS. INSP’D and CONDEMNED”** mark applied under s. ATCP 55.06(5)(e) has the
11 effect of a meat condemnation order served under this subsection.

12 (c) No person may sell, move or alter any meat or meat food product covered by
13 the department’s order except as directed by this chapter or by the department.

14 **(4) ORDER TO CORRECT VIOLATION.** The department may order a person to
15 correct a violation of this chapter or ch. 97, Stats. The department may specify a deadline
16 for correcting the violation.

17 **(5) REJECTED FACILITIES, EQUIPMENT OR UTENSILS.** The department may issue an
18 order prohibiting the use of unsanitary facilities, equipment or utensils that may
19 contaminate meat or meat food products. The department may issue an order under this
20 subsection by applying a **“REJECTED”** tag to the facilities, equipment or utensils. A
21 person may not use the equipment or utensils until the violation is corrected and the
22 department withdraws its order.

1 **(6) MEAT INSPECTION STAFF AUTHORIZED TO ISSUE ORDERS.** An authorized
2 department employee may issue orders under this section.

3 **NOTE:** Under ss. 93.06 and 97.42, Stats., the department may deny, suspend or
4 revoke a license or permit for violations of this chapter. The department
5 may also pursue court enforcement under ss. 93.21, 97.72 and 97.73,
6 Stats., and other applicable laws.

7 **ATCP 55.15 Appeals. (1)** A person directly affected by any of the following
8 department actions under this chapter may ask the department to reconsider that action:
9

- 10 (a) The denial of any application for a license or registration certificate.
- 11 (b) Ante mortem or post mortem inspection findings affecting the disposition of
- 12 animals, carcasses or meat.
- 13 (c) Any order issued under s. ATCP 55.14.
- 14 (d) Decisions denying, limiting or withdrawing slaughter inspection services.
- 15 (e) Slaughter inspection billings.

16 **(2)** Whenever the department receives a request for reconsideration under par. (a),
17 the department shall schedule a prompt informal conference with the requester. If the
18 matter concerns an ante mortem or post mortem inspection finding by an inspector who is
19 not a veterinarian, the department may have a veterinarian review the inspector's
20 findings.

21 **(3)** If a requester's dispute is not resolved by informal action under par. (b), a
22 requester may request a contested case hearing under ch. 227, Stats., and ch. ATCP 1.

23 **(4)** A request for reconsideration or hearing does not stay a department action
24 under this chapter.

25 **(5)** This section does not limit a person's rights under ch. 227, Stats., or other

1 applicable law.

2 **SECTION 2.** Chapter ATCP 56 is repealed.

3

4 **EFFECTIVE DATE.** The rules contained in this order shall take effect on the first
5 day of the month following publication in the Wisconsin administrative register, as
6 provided under s. 227.22(2)(intro.), Stats.

7

8 Dated this _____ day of _____, 2001.

9
10
11
12
13
14
15
16

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____
James E. Harsdorf
Secretary

Section 2 Chapter 109 is repealed.

APPENDIX A

LEGISLATIVE BILL: This bill contained in this new right side effect of the new

day of the month following expiration in the Wisconsin administrative register as

provided under 25.12(2)(b) state

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE
TRADE AND CONSUMER PROTECTION

by James H. Hancock

Secretary

APPENDIX A

SUMMARY OF PUBLIC HEARINGS ON PROPOSED DATCP CH. ATCP 55, WIS. ADM. CODE MEAT AND POULTRY INSPECTION RULE

Hearing dates and locations:

June 19, 2001 – Green Bay

June 20, 2001 – Eau Claire

June 22, 2001 – Madison

The hearings were held from 10:00 a.m. until noon, and were resumed at 1:00 p.m. They were closed at 2:30 p.m. The record remained open until July 6, 2001 for receipt of written comments.

Notice of the hearings was mailed to licensed Wisconsin meat and poultry plants as well as mobile slaughterers registered in Wisconsin.

Mr. Terry Burkhardt, Meat Safety Inspection Bureau Chief, was the presiding officer. He read an opening statement into the record and presented an overview of the rulemaking process. Mr. Arthur Ness, Food Scientist – Senior, recorded the hearings, collected the appearance cards, kept the log, ran the recorder and closed the sessions with a recorded statement.

The proposed rule draft was available at all hearing locations as were copies of the current Chs. ATCP 55 and 56, Wis. Adm. Code as well as the FSIS regulations incorporated into the proposed Ch. ATCP 55, Wis. Adm. Code.

Those filling out appearance cards at the hearings were as follow:

Green Bay: ▪ Chang V. Hang – A licensed plant operator spoke on an unrelated issue

Eau Claire: ▪ Jon Seipel – A licensed plant operator registered in support of the proposed rule and stated the same briefly.
▪ Robert Fleming – Registered as seeking information.

Madison: ▪ Paul Retzlaff – A licensed plant operator registered in support of the proposed rule.

Written comment was received on July 6, 2001 from Sharon K. Beals, Assistant Vice-President, Fresh Meats Quality Assurance and Food Safety, IBP, Inc., Dakota Dunes, SD.

Written Comment was also received on May 29, 2001, from the office of William F. Leese, Senior Policy Manager of the Federal, State & Local Government Relations Staff of the USDA's Food Safety and Inspection Service.

IBP requested s. ATCP 55.06(2)(c), Wis. Adm. Code be eliminated. Since s. ATCP 55.06(2)(a), Wis. Adm. Code adequately addresses the food safety issue under HACCP, in IBP's opinion, it was not necessary to require that vehicles and transportation facilities used in transporting meat foods, poultry or poultry food products shall be constructed and maintained so as to assure that product arrives at its destination in a wholesome and unadulterated condition and at a temperature of not more than +40° F. IBP attached substantial documentation to support its position.

Dr. Leese made two comments. The first was suggesting a minor change in the proposed rule from "rabbinical slaughter procedures" to "religious dietary law procedures" in order to include more than just the Kosher method. Dr. Leese also questioned if the state's current enforcement regulation is applicable in a HACCP environment.

The Notice of Hearing invited interested parties to call the Food Division's Meat Safety Bureau to request copies of the proposed rule if they wished. By the end of the comment period, the following organizations and persons requested and received a copy of the proposed rule:

| | |
|----------------|--------------------------------|
| Detjen's | Establishment 29-0705 |
| Krizan's | Establishment 23-0400 |
| Downsville | Establishment 29-0041 |
| Mr. Ralph Blum | Registered Mobile Slaughterer. |

| | Green Bay June 19, 2001 | | Eau Claire June 20, 2001 | | Madison June 22, 2001 | |
|----------|--|--------------|---|--------------|--|--------------|
| POSITION | SPOKE + CARD | CARD ONLY | SPOKE + CARD | CARD ONLY | SPOKE + CARD | CARD ONLY |
| SUPPORT | 0 | 0 | 1 | 0 | 0 | 1 |
| OPPOSE | 0 | 0 | 0 | 0 | 0 | 0 |
| NEITHER | 0 | 0 | 0 | 0 | 0 | 0 |
| OTHER | 1 | 0 | 0 | 1 | 0 | 0 |
| SUBTOTAL | 1 | 0 | 1 | 1 | 0 | 1 |
| | 1 REGISTERED AS OTHER/ SPOKE IN SUPPORT 1 ATTENDEE | | 1 SPOKE IN SUPPORT 1 REGISTERED AS OTHER - CAME FOR INFORMATION 2 ATTENDEES | | 1 REGISTERED IN SUPPORT 1 ATTENDEE | |

GREEN BAY

| SPEAKER # | AFFILIATION | POSITION | EXHIBITS |
|-----------|----------------------------|-----------|----------|
| 1 | Meat (Poultry) Plant Owner | Favorable | None |

| SPEAKER # | ISSUES AND CONCERNS ABOUT RE-WRITE OF ATCP 55 |
|-----------|---|
| 1 | The speaker misunderstood the purpose of the meeting. He thought it was an informational meeting on the proposed rule. He was in favor of a rule that clarified rules on custom/farm slaughter and processing, but spoke mainly on the health and economic ramifications of uninspected, farm-slaughtered meat. |

EAU CLAIRE

| SPEAKER # | AFFILIATION | POSITION | EXHIBITS |
|-----------|-----------------------|----------|----------|
| 1 | Plant (Meat) Operator | Support | None |

| SPEAKER # | ISSUES AND CONCERNS ABOUT RE-WRITE OF ATCP 55 |
|-----------|--|
| 1 | The speaker was under the impression that the meeting was for the Department to educate the public on the new rule. He spoke very briefly and in general terms in support of a re-write. |

MADISON

| SPEAKER # | AFFILIATION | POSITION | EXHIBITS |
|-------------|-------------|----------|----------|
| NO SPEAKERS | | | |

| SPEAKER # | ISSUES AND CONCERNS ABOUT RE-WRITE OF ATCP 55 |
|-----------|---|
| 0 | NONE |

January 1959
June 30, 1960
March 1959

| Item | 1959 | 1960 | 1961 | 1962 | 1963 |
|------|------|------|------|------|------|
| ... | ... | ... | ... | ... | ... |
| ... | ... | ... | ... | ... | ... |
| ... | ... | ... | ... | ... | ... |
| ... | ... | ... | ... | ... | ... |

APPENDIX B

| Category | 1959 | 1960 | 1961 | 1962 | 1963 |
|----------|------|------|------|------|------|
| ... | ... | ... | ... | ... | ... |
| ... | ... | ... | ... | ... | ... |
| ... | ... | ... | ... | ... | ... |

...

| | | |
|-----|-----|-----|
| ... | ... | ... |
|-----|-----|-----|

The information provided in this report is for informational purposes only. It is not intended to be used for legal or other professional purposes. The user should consult a qualified professional for more information.

| | | |
|-----|-----|-----|
| ... | ... | ... |
|-----|-----|-----|

The information provided in this report is for informational purposes only. It is not intended to be used for legal or other professional purposes. The user should consult a qualified professional for more information.

| | | |
|-----|-----|-----|
| ... | ... | ... |
|-----|-----|-----|

The information provided in this report is for informational purposes only. It is not intended to be used for legal or other professional purposes. The user should consult a qualified professional for more information.

APPENDIX B

RESPONSE TO LEGISLATIVE COUNCIL RULES CLEARINGHOUSE COMMENTS

Chapter ATCP 55, Wis. Adm. Code - Meat and Poultry Inspection Rule
Clearinghouse Rule 01 – 042

The following is a list of the comments made by the Legislative Rules Clearinghouse and the department's response to those comments.

2. Form, Style and Placement in Administrative Code

- a. In s. ATCP 55.01 (1), should the term "meat distributor" be used instead of "food distributor," since "meat distributor" is defined?
 - The department made this change.
- b. Section ATCP 55.02 (5) defines "custom processing" as processing meat as a customer service for an individual who owns the meat and who uses all the resulting meat or food products for his or her own consumption. Is it the duty of the person performing the custom processing to determine that the person who owns the meat will use all the resulting meat or meat food products for his or her own consumption? How is the custom processor to make this determination? This comment applies to sub. (6) as well.
 - It is only the duty, under this chapter, of the person doing the custom processing and custom slaughter to keep truthful and accurate records as required by the department. It is not the duty of the person doing the custom processing or slaughtering to investigate the activities or the intent of the person to whom the service is provided. However, a custom processor or slaughterer can not provide the service if the custom processor or slaughterer knows or has reason to believe the service is part of an illegal activity i.e. sale of uninspected meat.
 - Language was added in s. ATCP 55.07 (9) (c), and 55.13 (9), Wis. Adm. Code to clarify the actions which may be taken by veterinary inspectors to dispose of unwholesome custom meat or meat food products in a licensed establishment.
 - Section ATCP 55.13 (9), Wis. Adm. Code was added to clarify the responsibility of persons slaughtering or processing on the premises of the owner of the animal being slaughtered or processed.
- c. Section ATCP 55.03 (5) provides that before the department may issue a license for a new meat establishment or issue a license to the operator of an existing meat establishment, the department must inspect that meat establishment.

Subsection (6) (b), however, states that "If" sub. (5) requires a pre-license inspection, the department shall grant or deny the license application within 30 days after the department performs that inspection. It is unclear why the word "If" is used, since it appears that an inspection is always required before a license may be issued.

- "If" is used because the license may be reissued following a change from a partnership to corporation, a transfer within a family or a name change. None of these changes would require a pre-license inspection before a license is renewed or reissued. A change in the rule was not necessary to deal with this comment.

d. In s. ATCP 55.03 (11) (b), is it the responsibility of the meat establishment operator to determine that wild game has been harvested illegally? If so, how are they to make this determination?

- It is not the establishment operator's duty to investigate the provenance of game brought to the establishment for processing. Establishment operators are not to engage in any illegal activity. A change in the rule was not necessary to deal with this comment.

e. In ATCP 55.03 (12) (c) (2), and the note following, should "wild animals" be changed to "wild game," since "wild game" is a defined term?

- This change was made.

f. In s. ATCP 55.05 (1), "use" should be replaced with "comply with."

- This change was made.

g. In s. ATCP 55.05 (2) and (4), it is unclear how an animal is to be identified or marked. For example, should it be tagged?

- Wording was added to state the method to be used to identify a "suspect" animal.

h. In s. ATCP 55.06 (5) (a), should a definition of "primal part" be provided.

- The department determined that such a definition in this rule is not necessary. No change was made to the rule.

i. Should s. 55.06 (5) (b) specify the minimum allowable size of the official inspection mark?

- Since the department has the inspection marks constructed and keeps control over them, there is not a need to specify the size of the mark. No change was made to the rule.

j. Section ATCP 55.06 (5) (b) requires the official inspection mark to include the department inspection number. However, par. (c), relating to inspection of farm-raised deer, captive game animals and captive game birds does not require the department inspection number to be included in the official inspection mark. Is this discrepancy intentional?

- The difference in inspection marks is necessary. No change was made to the rule.
- k. The material contained in the note following s. ATCP 55.07 (11) (a) is substantive and should be included in the text of the rule.
- This change was made.
- l. The material contained in the first sentence of the note following s. ATCP 55.14 (1) is substantive and should be included in the text of the rule.
- This language is not substantive, but explanatory and is contained in other parts of the rule. The note was modified to assure it was not substantive material.
- m. The material contained in the note following s. ATCP 55.14 (6) is substantive and should be included in the text of the rule.
- This material is not substantive, but explanatory and is contained in other parts of the rule. The note was modified to assure it was not substantive material.
- n. In s. ATCP 55.15, all of the paragraphs should be numbered as subsections.
- This change was made.

4. Adequacy of References to Related Statutes, Rules and Forms

- a. In s. 55.03 (11) (b) (3), can a cross reference be added to the labeling and recordkeeping requirements which are applicable to the custom processing of food animals?
- A cross reference was added.
- b. Would it be possible for the department to provide a listing of the captive game animals and captive game birds to which s. ATCP 55.04 (1) (a) does not apply?
- Since such a list would include any bird or animal not covered by a USDA inspection procedure, but considered edible by any person in the state of Wisconsin; the department determined that such a list was not feasible and did not insert such a list in the rule. Any such list would be difficult to develop and be incomplete.
- c. Section ATCP 55.06 (6) authorizes the department to specify additional field *ante mortem* inspection procedures. How is the public to become notified of these additional procedures? Will the procedures be promulgated as a rule? This comment applies to the *post mortem* inspection procedures referred to in s. 55.06 (4) as well.

- The wording describing this process was changed to better reflect the purpose of this provision. The comment is inapplicable to post mortem inspection procedures. This provision allows a department employee who is requested to do an ante mortem inspection outside of the meat establishment's premises to require certain activities to be performed before the inspection is done so a safe environment is provided for the inspector to perform the inspection. Since circumstances can vary widely in off premises inspections of live animals, discretion for determining safety conditions for the inspector was left to the inspector.

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. Should a definition of "stun and bleed," used in s. ATCP 55.04 (3) (c), be provided?
 - Those terms are commonly recognized and understood by the regulated industry and do not need to be defined.
- b. Must the department enter into an agreement to provide inspection services before it can charge for providing these services? This is implied, but not clearly stated, in s. ATCP 55.04 (5) (b). If an agreement is required, that requirement should be clearly established in this rule.
 - This section was changed to clarify the language.
- c. Would it be possible, in s. ATCP 55.06 (5) (d) to set forth standards to be used to determine when meat is "fit for human food only after cooking"?
 - The rule was changed to state that the standard for determining when a part of a carcass is "fit for human consumption only after cooking" is that standard contained in 9 CFR 315.2.
- d. Section ATCP 55.06 (5) (f) states that a carcass part that is tagged under that section is deemed to be covered by a department holding order under s. ATCP 55.14 (2). A holding order under that section prohibits a person from, among other things, moving any meat or meat food product which is subject to that order. However, s. ATCP 55.06 (5) (f) does not prohibit the moving of meat which has been tagged. It appears that this prohibition should be added.
 - The tag is a holding order and should not be differentiated from any other holding order issued under this rule. Therefore, it is not necessary to change the rule to address this comment.
- e. In s. ATCP 55.07 (7), to whom must a person submit the required written statement?
 - The language was clarified to explain to whom a person must submit the required written statement.

- f. How is a person to know which denaturants have been approved by the department? [See s. ATCP 55.07 (10).]
- The rule language was changed and a “note” was inserted to clarify this point.
- g. In s. 55.07 (10) (c), should a definition of dressed out be provided?
- The wording was changed to “skinned and eviscerated” which more accurately expresses the activity.
- h. Should s. ATCP 55.08 (2) (b) specify that a mark or label may not be used until the department has approved it?
- This section was eliminated to remove any confusion.
- i. Section ATCP 55.10 (5) should set forth the standards and procedures for department approval of product formulas.
- A section was added to the rule to accomplish this.
- j. Should s. ATCP 55.11 (1) specify the temperature at which meat must be kept during transport as well as at time of delivery? Also, the degree symbol should be placed higher on the line.
- This change was not needed since the regulated industry only wants the rule to state the temperature at the time of delivery and that temperature should be the same as that in the Food Code. The rule was changed to set the temperature the same as that contained in the Food Code.
- k. Should a definition of “move,” used in s. ATCP 55.14 (2) (d), be provided?
- This word does not need to be defined.
- l. Section ATCP 55.14 (3) is confusing because it refers to “disposal orders” in the text but is entitled “**MEAT CONDEMNATION ORDER.**” This discrepancy should be rectified.
- The discrepancy was rectified with a wording change.
- m. Section ATCP 55.15 (4) states that a request for reconsideration does not “automatically” stay a department action under this chapter. The rule could clarify the circumstances under which a request for reconsideration may stay the department action.
- Wording changes were made to clarify this section of the rule.

... was ...
... was ...
... was ...

APPENDIX C

...
...
...

...
...
...

...
...
...

...
...
...

...
...
...
...

...

...
...
...

...
...
...

...

Fiscal Estimate — 1999 Session

- Original Updated
 Corrected Supplemental

| | |
|----------------------|--|
| LRB Number 01-042 | Amendment Number if Applicable |
| Bill Number | Administrative Rule Number ATCP 55 and 56 |

Subject

Merger of chs. ATCP 55 and 56 Wis. Adm. Code by repealing ATCP 55 and 56 and recreating ATCP 55.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Increase Costs — May be possible to absorb within agency's budget.
 Yes No

Decrease Costs

Local: No Local Government Costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations
 20.115(1)(gb)

Assumptions Used in Arriving at Fiscal Estimate

This proposed rule change merges two existing rules and incorporates changes made in s. 97 Wis. Stats. by 1999 Assembly Bill 133 which incorporated several sections of 9 CFR, the USDA Meat and Poultry Inspection rules and requirements. These changes include the following: eliminate prior approval for most labels, retain prior approval for formulas, include requirements for SSOP and HACCP, incorporate existing policies on game birds and animals as well as ratites, and eliminate language made redundant or conflicting with language adopted from 9 CFR into s. 97, Stats.

The department anticipates no adverse financial impact on either the department or the regulated industry since the requirements for HACCP plans, SSOPs, and the associated records have already been implemented since January 2000, by the change to s. 97, Stats. There should be no additional costs incurred by this proposed rule merger, since it only reflects and clarifies the situation that exists and will require only the one-time costs associated with the rulemaking of approximately \$1000, consisting of printing, mailing and costs associated with holding hearings.

Long-Range Fiscal Implications

None

| | | |
|--|---------------------------|--|
| Prepared By: Arthur J. Ness | Telephone No. 224-4727 | Agency DATCP, Division of Food Safety |
| Authorized Signature <i>Barbara Knepp</i> | Telephone No. 224-4746 | Date (mm/dd/ccyy) 08/21/01 |

Fiscal Estimate Worksheet — 1999 Session

Detailed Estimate of Annual Fiscal Effect

Original Updated
 Corrected Supplemental

| | |
|----------------------|--|
| LRB Number 01-042 | Amendment Number if Applicable |
| Bill Number | Administrative Rule Number ATCP 55 and 56 |

Subject

Repeal of ATCP 55 and 56, Wis. Adm. Code and recreation of ATCP 55, Wis. Adm. Code.

One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):
 \$1000.00

| Annualized Costs: | Annualized Fiscal Impact on State Funds from: | |
|--|---|--------------------------|
| | Increased Costs | Decreased Costs |
| A. State Costs by Category | | |
| State Operations — Salaries and Fringes | \$ 0 | \$ - 0 |
| (FTE Position Changes) | (0.00 FTE) | (- 0.00 FTE) |
| State Operations — Other Costs | 0 | - 0 |
| Local Assistance | 0 | - 0 |
| Aids to Individuals or Organizations | 0 | - 0 |
| Total State Costs by Category | \$ 0 | \$ - 0 |
| B. State Costs by Source of Funds | | |
| GPR | \$ 0 | \$ - 0 |
| FED | 0 | - 0 |
| PRO/PRS | 0 | - 0 |
| SEG/SEG-S | 0 | - 0 |
| State Revenues | Increased Revenue | Decreased Revenue |
| GPR Taxes | \$ 0 | \$ - 0 |
| GPR Earned | 0 | - 0 |
| FED | 0 | - 0 |
| PRO/PRS | 0 | - 0 |
| SEG/SEG-S | 0 | - 0 |
| Total State Revenues | \$ 0 | \$ - 0 |

Net Annualized Fiscal Impact

| | State | Local |
|------------------------|-------|-------|
| Net Change in Costs | \$ 0 | \$ 0 |
| Net Change in Revenues | \$ 0 | \$ 0 |

| | | |
|--|---------------------------|---|
| Prepared By: Arthur J. Ness | Telephone No. 224-4727 | Agency ATCP, Division of Food Safety |
| Authorized Signature <i>Barbara Knapp</i> | Telephone No. 224-4746 | Date (mm/dd/ccyy) 08/21/01 |

1980-1981
1982-1983

APPENDIX D

The following table shows the number of students who were enrolled in the program during the years 1980-1981 and 1982-1983. The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

The number of students who were enrolled in the program during the years 1980-1981 and 1982-1983 is shown in the table below.

Final Regulatory Flexibility Analysis

Meat and Meat Food Products Chapter ATCP 55, Wis. Adm. Code

This rule will not, by itself, have a major impact on small business. This rule merely implements state and federal law changes that have already been enacted. This rule also recodifies existing requirements, so they will be easier to read and understand. DATCP currently licenses, registers, and inspects about 500 meat and poultry establishments, mobile slaughterers, mobile processors and meat distributors. The establishments range from very small one and two-person operations to multi-product operations that manufacture and wholesale substantial amounts of meat and poultry products.

This rule incorporates current federal requirements under 9 CFR sections 307 to 311, 313 to 315, 317 to 319, 416, 417, and 381 subparts G, H, I, K, L, O and P. This is required by s. 97.42 (4m), Wis. Stats. and federal law, so that Wisconsin's meat inspection program will be "equal-to" the federal program.

These federal requirements will have negligible impact at this time because most have already been implemented in Wisconsin meat establishments. This rule does not require any additional plans, procedures or records.

This rule does all the following:

- Incorporates federal rules requiring hazard analysis and critical control point (HACCP) plans and pathogen testing at meat establishments.
- Updates current rules and eliminates obsolete rules.
- Eliminates the need for prior approval of most meat labels.
- Continues to require prior approval of meat product formulations.
- Clarifies the requirements for the slaughter and processing of ratites, captive game birds and captive game animals.

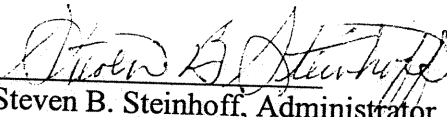
These federal requirements have already been implemented in Wisconsin, and this rule imposes no additional testing or recordkeeping requirements.

The department has already provided training to Wisconsin meat establishments to help them implement the new federal requirements that are incorporated, by reference, in this rule.

This rule will have a negligible impact on small business. It should not be necessary for licensed establishments to retain the services of a HACCP consultant, a bookkeeper or an attorney to comply with this rule.

Dated this 21st day of August, 2001

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By 
Steven B. Steinhoff, Administrator
Division of Food Safety