



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

DATE: April 8, 2013

TO: Bruce Hoesly, Legislative Reference Bureau
1 East Main Street, Suite 200

FROM: Ben Brancel, Secretary

**SUBJECT: Meat and Meat Food Products; Ch. ATCP 55 - Final Rule
(Clearinghouse Rule #12-040)**

The Department of Agriculture, Trade and Consumer Protection (DATCP) hereby submits the following rule for publication:

CLEARINGHOUSE RULE #: 12-040

SUBJECT: Meat and Meat Food Products

ADM. CODE REFERENCE: ATCP 55

DATCP DOCKET #: 11-R-10

We are enclosing a copy of the final rule, as adopted by DATCP. We are also providing the following information for publication with the rule, as required by s. 227.114(6), Stats.

Business Impact Analysis (Summary)

This rule will allow Wisconsin's state-inspected meat and poultry establishments to participate in the United States Department of Agriculture's (USDA's) Cooperative Interstate Shipment (CIS) program. Currently, these establishments may only sell their products in Wisconsin. By allowing Wisconsin to participate in the CIS program, this rule will allow certain small state-inspected meat and poultry establishments to expand their markets to all fifty states. The department estimates 17 establishments will participate in the program in the first year of the program's operation. USDA expects establishments to incur some one-time start-up costs associated with participation and some establishments may need to make structural modifications to their facilities to comply with all federal requirements. However, state-inspected meat and poultry establishments already comply with state regulations that are determined to be "at least equal to" federal regulations, so the department anticipates costs associated with participation will be minimal and likely to be offset by increased sales in a larger market. Wisconsin will not be able to provide flexibility to small businesses in complying with federal regulations. However, participation in the CIS program is voluntary and no state-inspected meat or poultry business will be required to participate.

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Comments from Legislative Committees (Summary)

The legislature received the rule for legislative review from DATCP on January 7, 2013. The rule was assigned to the Assembly Committee on Agriculture and the Senate Committee on Agriculture, Small Business and Tourism. Neither committee took action. The Senate referred the rule to the Joint Committee for Review of Administrative Rules (JCRAR) on February 15, 2013 and the Assembly referred it to JCRAR on February 26, 2013. JCRAR also took no action on the rule.