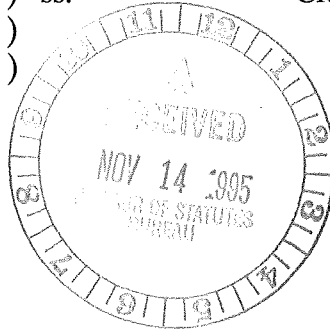


CR 95-104

STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE,  
TRADE & CONSUMER PROTECTION

)  
) ss.  
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Clearinghouse Rule  
No. 95-104



CERTIFICATION:

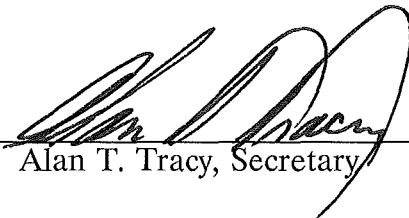
I, Alan T. Tracy, Secretary of the State of Wisconsin, Department of Agriculture, Trade and Consumer Protection, and custodian of the department's official records, hereby certify that the attached rulemaking order relating to nonsubstantive rule organization and drafting changes was signed and adopted by the department on November 13, 1995.

I further certify that I have compared the attached copy to the original on file in the department, and that the attached copy is a complete and accurate copy of the original.

Signed and sealed this 13th day of November, 1995.

STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE,  
TRADE AND CONSUMER PROTECTION



By   
Alan T. Tracy, Secretary

2-1-94

**ORDER OF THE STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION  
ADOPTING, AMENDING AND REPEALING RULES**

1 The state of Wisconsin department of agriculture, trade and consumer protection adopts  
2 the following order to repeal ATCP 27.06, ch. 106(note), ch. 107(note), ch. 108(note), ch.  
3 130 and 135.11(note); to renumber ch. ATCP 26(title), 26.01(title), (1) to (3), (5), (7),  
4 (8), (10) to (13) and (15), 26.02(title), (1) and (3), 26.03, 26.04(title), (1) to (4), (5)(title),  
5 (5)(a)(title) and 1 to 10, and (5)(b)(title) and 1 to 9, 26.05(title), (1)(title) and (intro.),  
6 (1)(a), (1)(b)(intro.) and 1 to 6, and (2) to (5), 26.07(title), (1)(title), (1)(a)(title), (1)(b)  
7 and (c), (2)(title), and (2)(a)(title), (b) and (c), 26.08(title), 26.09, ch. 27(title),  
8 27.01(title), (1), (3) to (5) and (7) to (9), 27.02, 27.03(title), (1) to (4), (5)(a) and (b), and  
9 (6)(a) and (b), 27.04 and 27.05, 100.57(2), (2), (3) and (4), 106.01 to 106.03, 107.01 and  
10 107.02, 107.04(title), 107.05(title) and (1)(a), (c), (d) and (f), 107.06, ch. 108(title),  
11 108.01(title) and (1) to (4), 108.02 and 108.03, ch. 135(title), 135.05(title), (2) and (3), ch.  
12 156(title), 156.01(title) and (1) to (12), 156.02 to 156.08, ch. 157(title) and 157.01 to  
13 157.04; to renumber and amend ATCP 26.01(4), (6), (9) and (14), 26.02(2),  
14 26.04(5)(a)(intro.) and (b)(intro.), 26.05(1)(b)7 and 8, 26.06(1)(b)6 and 7, 26.07(1)(a) and  
15 (2)(a), 26.08(1) and (2), 27.01(2) and (6), 27.03(5)(intro.), (6)(intro.) and (7), ch.  
16 106(title), ch. 107(title), 107.03, 107.04(1) and (2), 107.05(1)(intro.), (b) and (e),  
17 107.05(2), 108.01(intro.), 135.01, 135.03, 135.05(1), 135.07, 135.11 and 156.01(intro.); to  
18 amend ATCP 1.06(1), ch. 105(title), 137.01, 137.02(intro.), 137.04(4), 137.05(4),  
19 137.07(3), 140.15 and 161.23(4)(b); and to create ATCP 21.14(1)(intro.), ch. 102(title),  
20 ch. 102(note), 102.01(intro.), 102.11(intro.), ch. 137, subch. I (title), and ch. 157 (title);  
21 relating to nonsubstantive rule organization and drafting changes.

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Analysis Prepared By the Department of  
Agriculture, Trade and Consumer Protection

Statutory authority: ss. 93.07(1), 93.09, 93.44, 96.15, 97.09(4),  
100.20(2), 100.295, 100.33(2), 227.11

Statutes interpreted: ss. 93.06(1m), 93.09, 93.14, 93.18, 93.44, 94.01, 94.02, 94.03; ch. 96;  
ss. 97.09(4), 100.06, 100.20, 100.295, 100.30, and 100.33; and subch. III of ch. 227, Stats.

This rule makes nonsubstantive organizational and drafting changes to several rules which the department currently administers. This rule consolidates, renumbers, and corrects typographical errors in the current rules, but does not change the substance of those rules. This rule does all of the following:

- Incorporates a current rule related to potato rot nematode (ATCP 27) into the department's general rule related to plant inspection and pest control (ATCP 21).
- Renumbers the department's certified seed potato rule from ATCP 26 to ATCP 156, so that it will be located among other rules administered by the department's marketing division. The marketing division is primarily responsible for administering the rule, in cooperation with the college of agricultural and life sciences.
- Consolidates 3 current price discrimination rules into a single new chapter (ATCP 102, Price Discrimination and Related Practices). The 3 current rules regulate price discrimination in the sale of fermented malt beverages (ATCP 106), soda water beverages (ATCP 107) and motor fuel (ATCP 108). Each of the current rules will comprise a subchapter in the consolidated rule.
- Retitles ATCP 105 from "Unfair Sales Act" to "Sales Below Cost." ATCP 105 interprets the unfair sales act, s. 100.30, Stats., but is not itself the unfair sales act. The rule interprets provisions of s. 100.30, Stats., related to sales below cost.
- Consolidates 2 current rules related to environmental labeling of products into a single chapter (ATCP 137, Environmental Labeling of Products). One of the current rules (ATCP 137) regulates claims that products are recycled, recyclable or degradable. The other (ATCP 135) requires that plastic containers be labeled to facilitate recycling. Each of the current rules will comprise a subchapter in the consolidated rule.

- Consolidates current grading rules for honey and maple syrup into a single chapter (ATCP 157, Honey and Maple Syrup). Within the consolidated rule, there will be separate subchapters for honey and maple syrup.
  - Corrects miscellaneous typographical errors in current rules.
- 

1           **SECTION 1.** ATCP 1.06(1) is amended to read:

2           ATCP 1.06(1) **WHO MAY REQUEST.** A person adversely affected by a  
3 department action may request a hearing on that action. Except as provided under s.  
4 ~~ATCP 1.03(4)(a)~~ ATCP 1.03(3)(a), a request for hearing shall be filed with the secretary  
5 and shall comply with sub. (2). A request for hearing on a department action does not  
6 stay or modify that action.

7           **SECTION 2.** ATCP 21.14(1)(intro.) is created to read:

8           ATCP 21.14(1)(intro.) In this section:

9           **SECTION 3.** Chapter ATCP 26 is renumbered chapter ATCP 156; and ATCP  
10 156.01(4), (6), (9) and (14), 156.02(2), 156.04(5)(a)(intro.) and (b)(intro.), 156.05(1)(b)7  
11 and 8, 156.06(1)(b)6 and 7, 156.07(1)(a) and (2)(a), and 156.08(1) and (2), as  
12 renumbered, are amended to read:

13           ATCP 156.01(4) "Damage" means any defect, except sunburn, greening and  
14 hollow heart, or any combination of defects which materially detracts from the internal  
15 or external appearance of the potato, or any defect which cannot be removed without a  
16 loss of more than 5% of the total weight of the potato. "Damage" may include one or  
17 more of the internal or external defects specified in s. ~~ATCP 26.04(5)(a) and (b)~~ ATCP  
18 156.04(5)(a) and (b).

19           ATCP 156.01(6) "External defect" means any defect under s. ~~ATCP 26.04(5)(a)~~

1 ATCP 156.04(5)(a) which can be detected by inspection of the outer surface of a seed  
2 potato, except that cutting may be required to determine the extent of internal injury  
3 related to the external defect.

4 ATCP 156.01(9) "Internal defect" means any defect under s. ~~ATCP 26.04(5)(b)~~  
5 ATCP 156.04(5)(b) which cannot be detected without cutting the potato.

6 ATCP 156.01(14) "Serious damage" means any defect or combination of defects  
7 under s. ~~ATCP 26.04(5)~~ ATCP 156.04(5), except sunburn or greening, which seriously  
8 detracts from the internal or external appearance of the potato, or any defect which  
9 cannot be removed without a loss of more than 10% of the total weight of the potato.

10 ATCP 156.02(2) ISSUANCE OF CERTIFICATES. Field and bin and grading  
11 inspections and certifications or reports shall be based upon visual inspections of fields,  
12 bins, plants and tubers in accordance with standards, procedures, and tolerances specified  
13 in ss. ~~ATCP 26.03 and 26.04~~ ATCP 156.03 and 156.04. In the issuance of inspection  
14 certificates or reports, neither the department nor the college may make any express or  
15 implied warranties or representations as to freedom from disease or quality of the  
16 certified seed, but certifies only that at the time of inspection the sample plants and  
17 tubers of each lot inspected conform to standards and tolerances for certified seed or  
18 certified seed of a particular grade under this chapter.

19 ATCP 156.04(5)(a)(intro.) External defects. The following external defects may  
20 individually or collectively constitute damage or serious damage as defined under s.  
21 ~~ATCP 26.01(4)~~ ATCP 156.01(4) and (14), respectively:

22 ATCP 156.04(5)(b)(intro.) Internal defects. The following internal defects may

1 individually or collectively constitute damage or serious damage as defined under s.  
2 ~~ATCP 26.01(4)~~ ATCP 156.01(4) and (14), respectively.

3 ATCP 156.05(1)(b)7 Damage as defined in s. ~~ATCP 26.01(4)~~ ATCP 156.01(4),  
4 including damage arising from external or internal defects under s. ~~ATCP 26.04(5)(a)~~  
5 ATCP 156.04(5)(a) and (b), and

6 ATCP 156.05(1)(b)8 Serious damage as defined in s. ~~ATCP 26.01(14)~~ ATCP  
7 156.01(14).

8 ATCP 156.06(1)(b)6 Damage by external defects as defined in s. ~~ATCP~~  
9 ~~26.04(5)(a)~~ ATCP 156.04(5)(a), and

10 ATCP 156.06(1)(b)7 Serious damage, except hollow heart, caused by internal  
11 defects as defined in s. ~~ATCP 26.04(5)(b)~~ ATCP 156.04(5)(b).

12 ATCP 156.07(1)(a) Grade requirements. Badger State Brand Foundation  
13 certified seed potatoes shall consist of potatoes of one variety, certified by the college,  
14 which shall meet the grade requirements of Badger State Brand certified seed potatoes  
15 under s. ~~ATCP 26.05~~ ATCP 156.05.

16 ATCP 156.07(2)(a) Grade requirements. Yellow Tag Grade Foundation seed  
17 potatoes shall consist of potatoes of one variety, certified by the college, which shall  
18 meet the grade requirements of Yellow Tag Grade certified seed potatoes under s.  
19 ~~ATCP 26.06~~ ATCP 156.06.

20 ATCP 156.08(1) Seed potatoes produced and sold by the college as elite  
21 foundation seed potatoes may be used for the planting and production of potatoes to be  
22 entered for certification as foundation or certified seed without grading inspection by the

1 department. Elite foundation seed shall conform to all of the requirements prescribed in  
2 s. ~~ATCP 26.03(6)~~ ATCP 156.03(6), and shall be the progeny from tuber-unit selections  
3 combined with clonal increase that have been rigidly screened for freedom from diseases  
4 by accepted indexing methods. No person may sell or represent potatoes as elite  
5 foundation seed potatoes unless the potatoes have been produced by the college and  
6 conform to the requirements of this section.

7 ATCP 156.08(2) Elite foundation seed potatoes shall consist of potatoes of one  
8 variety and as a minimum meet the standards for Yellow Tag Grade seed potatoes under  
9 s. ~~ATCP 26.06~~ ATCP 156.06, except for defects not affecting productivity such as shape,  
10 sunburn, insect damage, mahogany browning, and internal discoloration. Elite  
11 foundation seed potatoes shall be labeled with a white tag printed with the words  
12 "Wisconsin Certified Seed Potatoes" with the words "Elite Foundation" overprinted on  
13 the face of the tag.

14 **SECTION 4.** Chapter ATCP 27(title) and ATCP 27.01 to 27.05 are renumbered  
15 ATCP 21.14(title) and (1) to (5); and ATCP 21.14(1)(b), (1)(f), (3)(e)(intro.),  
16 (3)(f)(intro.) and (3)(g), as renumbered, are amended to read:

17 ATCP 21.14(1)(b) "Certified seed potatoes" means seed potatoes which have  
18 been inspected and certified by the college as having been produced under and meeting  
19 field and bin inspection standards and requirements under ~~ch. ATCP 26~~ ch. ATCP 156,  
20 and which have been graded and certified by the department as being of a grade  
21 specified under ~~ch. ATCP 26~~ ch. ATCP 156.

22 (1)(f) "Infested field" means any parcel of land which is declared to be an

1 infested field under ~~s. ATCP 27.03(1)~~ sub. (3)(a), or which is known to be currently  
2 infested in fact with potato rot nematode.

3 (3)(e)(intro.) If a field used in the production of table stock potatoes is  
4 designated as an infested field under ~~sub. (1)~~ par. (a), the department may withdraw that  
5 designation only if one of the following conditions is met:

6 (3)(f)(intro.) If any field used in the production of certified seed potatoes is  
7 designated as an infested field under ~~sub. (1)~~ par. (a), the department may not withdraw  
8 that designation unless both of the following conditions are met:

9 (3)(g) If a notice of infestation is withdrawn under ~~sub. (5) or (6)~~ par. (e) or (f),  
10 the department may continue to examine potatoes grown on the field to verify that there  
11 is no evidence of potato rot nematode infestation.

12 **SECTION 5.** ATCP 27.06 is repealed.

13 **SECTION 6.** ATCP 100.57(2), (2), (3) and (4) are renumbered ATCP 100.57(2)  
14 to (5).

15 **SECTION 7.** Chapter ATCP 102 (title) is created to read:

16 Chapter ATCP 102(title) **PRICE DISCRIMINATION AND RELATED**  
17 **PRACTICES**

18 **SECTION 8.** Chapter ATCP 102 (note) is created to read:

19 **NOTE:** This chapter is adopted under authority of s. 100.20(2), Stats., and is  
20 administered by the Wisconsin department of agriculture, trade and consumer protection.  
21 Violations of this chapter may be prosecuted under s. 100.26(3) or (6), Stats. A person  
22 who suffers a monetary loss because of a violation of this chapter may sue the violator  
23 directly under s. 100.20(5), Stats., and may recover twice the amount of the loss together  
24 with costs and reasonable attorneys' fees.

25 See also s. 133.04, Stats. (price discrimination; intent to destroy  
26



1 competition); s. 100.201, Stats., and ch. ATCP 103 (dairy trade practices); s. 100.22, Stats.  
2 (price discrimination in milk procurement); and s. 100.31, Stats. (drug price  
3 discrimination).

4  
5 **SECTION 9.** ATCP 102.01(intro.) is created to read:

6 **ATCP 102.01 DEFINITIONS.** In this subchapter:

7 **SECTION 10.** ATCP 102.11(intro.) is created to read:

8 **ATCP 102.11 DEFINITIONS.** In this subchapter:

9 **SECTION 11.** ATCP 105(title) is amended to read:

10 ATCP 105 (title) **SALES BELOW COST**

11 **SECTION 12.** Chapter ATCP 106 (title) is renumbered chapter ATCP 102,  
12 subchapter I (title), and amended to read:

13 Chapter ATCP 102, subchapter I (title) **FERMENTED MALT BEVERAGES**

14 **SECTION 13.** Chapter ATCP 106 (notes) are repealed.

15 **SECTION 14.** ATCP 106.01 to 106.03 are renumbered ATCP 102.01 to 102.03.

16 **SECTION 15.** Chapter ATCP 107 (title) is renumbered chapter ATCP 102,  
17 subchapter II (title) and amended to read:

18 Chapter ATCP 102, subchapter II (title) **SODA WATER BEVERAGES**

19 **SECTION 16.** Chapter ATCP 107 (note) is repealed.

20 **SECTION 17.** ATCP 107.01 to 107.06 are renumbered ATCP 102.11 to 102.16;  
21 and 102.13, 102.14(1) and (2), 102.15(1)(intro.), (b) and (e), and 102.15(2), as  
22 renumbered, are amended to read:

23 **ATCP 102.13 PROHIBITED ACTS OF RETAILERS.** No retailer or any officer,  
24 director, employe or agent thereof shall solicit or receive, directly or indirectly, from or

1 through a wholesaler, broker, or another retailer, anything which is prohibited by s.  
2 ~~ATCP 107.02~~ ATCP 102.12, where it is known, or in the exercise of reasonable prudence  
3 should be known that it is prohibited.

4 ATCP 102.14(1) No broker, or any officer or agent thereof, shall participate,  
5 directly or indirectly, in any trade practice prohibited by s. ~~ATCP 107.02~~ ATCP 102.12.

6 ATCP 102.14(2) No wholesaler shall engage or offer to engage in any trade  
7 practice prohibited by s. ~~ATCP 107.02~~ ATCP 102.12, directly or indirectly, through a  
8 broker.

9 ATCP 102.15(1)(intro.) Nothing in s. ~~ATCP 107.02(1)~~ ATCP 102.12(1) and (3)  
10 shall apply to the sale or offering for sale of soda water beverages:

11 ATCP 102.15(1)(b) With differences in services or facilities under s. ~~ATCP~~  
12 ~~107.02(3)~~ ATCP 102.12(3), if made in good faith to meet services or facilities, or any  
13 compensation therefor, furnished by a competitor.

14 ATCP 102.15(1)(e) To customers other than ~~wholesalers or retailers~~ or  
15 wholesalers as defined in s. ~~ATCP 107.01~~ ATCP 102.12(2) or (3).

16 ATCP 102.15(2) Equipment furnished, sold, given, lent, or rented prior to the  
17 effective date of this chapter shall, within 18 months after the effective date of this  
18 chapter, be either removed from the retailer's premises or brought into compliance with  
19 the requirements of s. ~~ATCP 107.02(2)~~ ATCP 102.12(2) and (3).

20 **SECTION 18.** Chapter ATCP 108 (title) is renumbered chapter ATCP 102,  
21 subchapter III (title) and amended to read:

22 Chapter ATCP 102, subchapter III (title) **MOTOR FUEL**

1           **SECTION 19.** Chapter ATCP 108 (note) is repealed.

2           **SECTION 20.** ATCP 108.01 to 108.03 are renumbered ATCP 102.21 to 102.23;  
3 and ATCP 102.21(intro.), as renumbered, is amended to read:

4           **ATCP 102.21 DEFINITIONS.** ~~As used in this chapter and in ch. ATCP 113, the~~  
5 ~~following terms are defined as follows~~ In this subchapter:

6           **SECTION 21.** Chapter ATCP 130 is repealed.

7           **SECTION 22.** Chapter ATCP 135 (title) is renumbered chapter ATCP 137,  
8 subchapter II (title).

9           **SECTION 23.** ATCP 135.01 is renumbered ATCP 137.11 and amended to read:

10          **ATCP 137.11 AUTHORITY.** This ~~chapter~~ subchapter is promulgated pursuant to  
11 s. 100.33, Stats.

12          **SECTION 24.** ATCP 135.03 is renumbered ATCP 137.12, and ATCP  
13 137.12(intro.), as renumbered, is amended to read:

14          **ATCP 137.12 DEFINITIONS.** The definitions set forth in s. 100.33, Stats., apply  
15 to this ~~chapter~~ subchapter. For the purpose of interpreting s. 100.33, Stats., and this  
16 ~~chapter~~ subchapter:

17          **SECTION 25.** ATCP 135.05 is renumbered ATCP 137.13, and ATCP 137.13(1),  
18 as renumbered, is amended to read:

19          **ATCP 137.13(1) TRIANGULAR SYMBOL.** Each plastic container regulated  
20 under this ~~chapter~~ subchapter and under s. 100.33, Stats., shall have a triangular symbol  
21 molded, imprinted or otherwise attached. Inside the triangle shall be a number and  
22 below the triangle shall be a series of letters identifying the resin used in the plastic

1 container, as specified in sub. (2).

2 **SECTION 26.** ATCP 135.07 is renumbered ATCP 137.14 and amended to read:

3 **ATCP 137.14 VARIANCES.** The department may grant a variance from this  
4 ~~chapter~~ subchapter, as provided under s. 100.33(3m), Stats., if the requester can prove  
5 that labeling a type of plastic container is technologically impossible.

6 **SECTION 27.** ATCP 135.11 is renumbered ATCP 137.15 and amended to read:

7 **ATCP 137.15 PENALTY.** Each violation of ~~these rules~~ this subchapter is subject  
8 to a forfeiture of not more than \$500, as provided in s. 100.33(4), Stats. Each day of  
9 violation constitutes a separate offense.

10 **SECTION 28.** ATCP 135.11 (note) is repealed.

11 **SECTION 29.** Chapter ATCP 137, subchapter I (title) is created to read:

12 **SUBCHAPTER I**

13 **RECYCLED, RECYCLABLE OR DEGRADABLE PRODUCTS**

14 **SECTION 30.** ATCP 137.01 is amended to read:

15 **ATCP 137.01 SCOPE AND AUTHORITY.** This ~~chapter~~ subchapter is adopted  
16 under ss. 100.20(2) and 100.295, Stats. This subchapter applies to representations made  
17 for any product that is sold or leased, offered for sale or lease, or promoted or  
18 distributed for sale or lease at wholesale or retail. This ~~chapter~~ subchapter applies to  
19 oral, written or graphic representations including advertisements, product labels,  
20 statements made in the print or broadcast media, and representations made in the form  
21 of trademarks, logos, symbols or trade names.

22 **SECTION 31.** ATCP 137.02(intro.) is amended to read:

1           **ATCP 137.02 DEFINITIONS.** In this ~~chapter~~ subchapter:

2           **SECTION 32.** ATCP 137.04(4) is amended to read:

3           ATCP 137.04(4) A label only used at wholesale by a manufacturer of connectors  
4 for beverage containers as defined in s. 134.77(1)(b), Stats., representing compliance with  
5 s. 134.77(3), Stats., to packagers of beverages as defined in s. 134.77(1)(a), Stats., does  
6 not constitute a representation, for purposes of this section, that a plastic beverage  
7 container is degradable ~~as defined in this chapter.~~

8           **SECTION 33.** ATCP 137.05(4) is amended to read:

9           ATCP 137.05(4) An identifying symbol placed on a plastic container to comply  
10 with ~~ch. ATCP 135~~ subchapter II does not constitute a representation, for purposes of  
11 this ~~chapter~~ subchapter, that the container is recyclable.

12           **SECTION 34.** ATCP 137.07(3) is amended to read:

13           ATCP 137.07(3) If a representation is required to include any disclosure or  
14 qualifying statements under this ~~chapter~~ subchapter, the disclosures and qualifying  
15 statements shall be clear and conspicuous in relation to the representation.

16           **SECTION 35.** ATCP 140.15 is amended to read:

17           **ATCP 140.15 LIST OF AFFECTED PRODUCERS OR HANDLERS;**

18           **COMPILATION PRIOR TO HEARING.** If a decision is made to initiate proceedings  
19 for the adoption, amendment or repeal of a marketing order, the secretary shall establish  
20 a current list of producers and handlers who will be affected by the proposal, as provided  
21 in s. 96.05(3) through (5), Stats. The list shall be used in determining whether the  
22 proposal to adopt, amend or repeal a marketing order is approved in a referendum of

1 producers and handlers, as provided in s. ~~ATCP 140.16~~ ATCP 140.19. The list shall be  
2 established and updated using the procedures under s. 96.05(3) through (5), Stats., before  
3 any notice of public hearing is issued on the proposal.

4 **SECTION 36.** Chapter ATCP 156 (title) is renumbered chapter ATCP 157,  
5 subchapter I (title).

6 **SECTION 37.** ATCP 156.01 to 156.08 are renumbered ATCP 157.01 to 157.08,  
7 and ATCP 157.01(intro.), as renumbered, is amended to read:

8 **ATCP 157.01 DEFINITIONS.** ~~The following terms, wherever used in these~~  
9 ~~standards or regulations, shall have the meaning here indicated~~ In this subchapter:

10 **SECTION 38.** Chapter ATCP 157 (title) is renumbered chapter ATCP 157,  
11 subchapter II (title).

12 **SECTION 39.** ATCP 157.01 to 157.04 are renumbered ATCP 157.11 to 157.14.

13 **SECTION 40.** Chapter ATCP 157 (title) is created to read:

14 Chapter ATCP 157 (title) **HONEY AND MAPLE SYRUP**

15 **SECTION 41.** ATCP 161.23(4)(b) is amended to read:

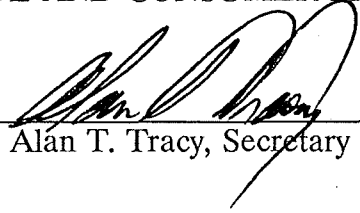
16 ATCP 161.23(4)(b) For each product or commodity identified under par. (a),  
17 information showing that the product or commodity complies with the eligibility  
18 requirements under s. ~~ATCP 161.28~~ ATCP 161.25.

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

5 Dated this 13<sup>th</sup> day of November, 1995.

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9  
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12  
13

STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE,  
TRADE AND CONSUMER PROTECTION

By   
Alan T. Tracy, Secretary