

Chapter Ag 82

BRICK AND MUENSTER CHEESE

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Note: Chapters Ag 82 and Ag 83 as they existed on June 30, 1978 were repealed and a new chapter Ag 82 was created effective July 1, 1978.

**Ag 82.01 Definitions.** (1) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(2) "Grader" means a person licensed by the department under s.93.11, Stats., to grade cheese or a department employe authorized to grade cheese.

(3) "Cheese" means brick or muenster cheese.

(4) "Code number 55" means a code number assigned to the state of Wisconsin under a federal voluntary national uniform coding system developed under Public Law 89-306 for the identification of packages of milk and milk products and recommended for use by states by the Ninth National Conference on Interstate Milk Shipments.

History: Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.02 Factory marks.** All cheese manufactured in Wisconsin shall be identified at the factory with the type of cheese; the word "WISCONSIN" or code number "55"; the Wisconsin factory serial number designated by the department; the month, day and year it was manufactured; and a vat designation by letters or numerals when more than one vat of cheese is manufactured on the same day. Identification marks shall be legibly and conspicuously imprinted or stamped on the cheese, its wrapper or container or a tag attached thereto. Such marking shall be in substantially one of the following alternative forms:

TYPE OF CHEESE	TYPE OF CHEESE
WISCONSIN	55 - 1402 VAT A
1402 VAT A	NOV 8 - 77
NOV 8-77	

History: Cr. Register, June, 1978, No. 270, eff. 7-1-78.

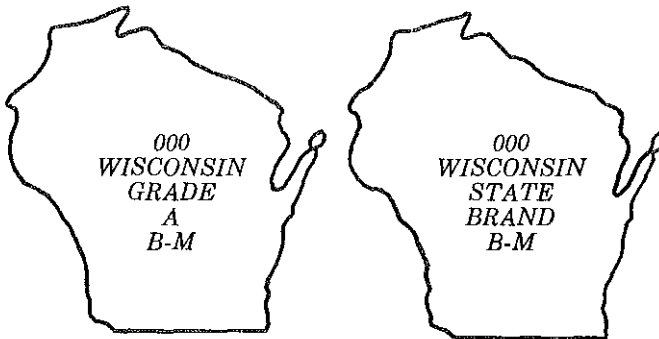
**Ag 82.03 Grades.** Grades of cheese manufactured in Wisconsin are Wisconsin State Brand or Wisconsin Grade A, and Wisconsin Junior. Cheese which has been graded and does not meet grade standards of Wisconsin Junior shall be classified Undergrade and so marked. Cheese represented to be of a grade perscribed herein shall conform to the stan-

dards and specifications for such grade and be graded by a licensed grader or by the department in accordance with grade standards prescribed in this chapter.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

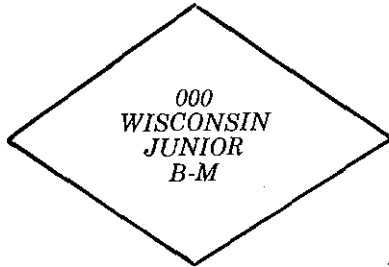
**Ag 82.04 Grade marks.** Cheese graded by licensed graders shall be plainly marked to indicate its grade and the grader's license number. Grade marks shall be applied to the cheese or its wrapper or container, or to a tag attached thereto before it enters retail channels, leaves the state, is used in the manufacture of another food product, or otherwise delivered to any person other than one engaged in the grading of cheese in this state prior to further sale or shipment.

(1) **WISCONSIN STATE BRAND OR WISCONSIN GRADE A.** The grade mark for Wisconsin State Brand or Wisconsin Grade A shall consist of a miniature outline map of the boundaries of Wisconsin with the words "WISCONSIN STATE BRAND" or "WISCONSIN GRADE A", the grader's license number and the letters "B-M" being enclosed within the outline map and so spaced and designed as to be easily readable and present a symmetrical appearance, in substantially the following form:



(2) **WISCONSIN JUNIOR.** The grade mark for Wisconsin Junior shall consist of a diamond-shaped border with the words "WISCONSIN JUNIOR", the grader's license number and the letters "B-M" being enclosed within the border and so spaced and designed as to be easily readable and present a symmetrical appearance, in substantially the following form:

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(3) **UNDERGRADE.** The grade mark for Undergrade shall consist of the word "UNDERGRADE", the grader's license number and the letters "B-M" so spaced and designed as to be easily readable and present a symmetrical appearance, in substantially the following form:

000  
UNDERGRADE  
B-M

(4) **NOT GRADED.** Cheese which has not been graded shall be plainly marked "NOT GRADED" in prominent and conspicuous type or lettering. Such marking shall be applied to the cheese, its wrapper or container, or to a tag attached thereto. Marking shall be done at the factory or the warehouse to which it is first delivered in this state. Cheese which has not been graded shall as a condition of sale conform to the moisture and milkfat requirements under s. Ag 82.13.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.05 Standards; Wisconsin State Brand or Wisconsin Grade A.** Cheese labeled or sold as Wisconsin State Brand or Wisconsin Grade A shall conform to the following standards:

(1) **FLAVOR.** The flavor shall be pleasing and free from undesirable flavors and odors. It may be lacking in flavor development or may possess characteristic cheese flavor. It may possess very slight acid or feed flavors.

(2) **BODY AND TEXTURE.** Cheese of this grade shall have good body and texture. The cheese may be close or have even distribution of mechanical openings, sweet holes and slight pinholes and shall be slightly translucent, but shall be free from other gas holes. It may be definitely curdy or partly broken down depending on age.

(3) **COLOR.** It may be uncolored or of any degree of color recognized in the market. The color shall be uniform and not dull or faded.

(4) **SALT.** Cheese of this grade shall have a uniform distribution of salt.

(5) **APPEARANCE.** Cheese of this grade shall be free of soiled surface, well-shaped, uniform in size, surface well closed and free from checks or mold.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

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**Ag 82.06 Standards; Wisconsin Junior.** Cheese labeled or sold as Wisconsin Junior shall conform to the following standards:

(1) **FLAVOR.** It shall have fairly pleasing characteristic cheese flavor but may possess the following flavors to a slight degree: flat, bitter, utensil, fruity, whey-taint, yeasty, malty, old milk, weedy, barny, lipase, feed and acid flavor.

(2) **BODY AND TEXTURE.** Body and texture may be slightly defective. A plug drawn from the cheese may possess the following characteristics to a slight degree: short, mealy, weak, pasty, and crumbly. It may be gassy and pinhole to a more definite degree.

(3) **COLOR.** Cheese of this grade may have slightly uneven color but shall not be faded or dull.

(4) **SALT.** Cheese of this grade shall have an even distribution of salt.

(5) **APPEARANCE.** Cheese of this grade may have slightly less uniformity in size and shape, and slight surface defects, but must be clean and free from checks or mold.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.07 State grade certification.** (1) The department may, upon request, certify the grade of cheese and charge a fee sufficient to cover the cost of such service. The grade mark or design used by the department in its grade certification may be applied to consumer packages, if such cheese is packaged within 35 days from the date of grade certification by the department. If the cheese is not packaged within such 35-day period, it shall be regraded by the department. Persons participating in the grade certification program shall maintain records as required under s. Ag 82.14 (2) and submit such records or reports to the department upon request.

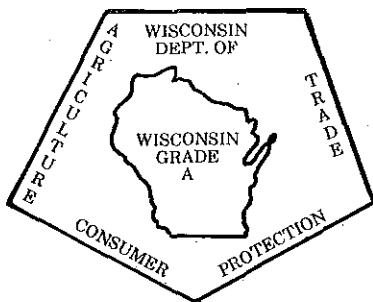
(2) No person shall use or apply the state grade certification mark or design on any cheese which is not graded and certified to by departmental graders.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

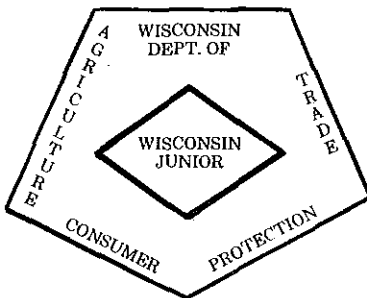
**Ag 82.08 State certification grade marks.** State certification grade marks shall consist of a pentagonal design polygon with the words "WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION" appearing around the inside perimeter of the polygon. The word "WISCONSIN" shall appear across the top with the words "DEPT. OF" immediately below. The word "AGRICULTURE" shall appear along the left side, "TRADE" along the side, and "CONSUMER PROTECTION" along the bottom of the polygon. Grade mark designation for grades of cheese shall be centered in the polygon and consist of the following grade mark designs:

(1) **STATE BRAND OR WISCONSIN GRADE A.** State Brand or Wisconsin Grade A shall appear only under the Wisconsin Grade A designation and consists of a miniature outline map of the boundaries of Wisconsin with the words "WISCONSIN GRADE A" appearing within the outline map in prominent lettering so spaced and designed as to present a symmetrical appearance in the following style or form:

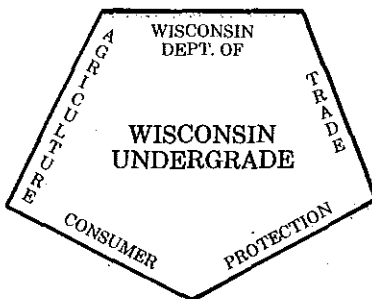
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(2) **WISCONSIN JUNIOR.** Wisconsin Junior shall consist of a diamond shaped design with the words "WISCONSIN JUNIOR" appearing within the design in prominent lettering so spaced and designed as to present a symmetrical appearance in the following style or form:



(3) **UNDERGRADE.** Undergrade shall consist of the words "WISCONSIN UNDERGRADE" being centered within the polygon in prominent lettering with the word Undergrade appearing immediately below Wisconsin and so spaced and designed as to present a symmetrical appearance in the following style or form:



History: Cr. Register, June, 1978, No. 270, eff. 7-1-78.

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**Ag 82.09 Arbitration; appeal grading.** (1) In case of disagreement between producers and buyers as to the grade of cheese, either party may request the appointment of a grade arbitration committee. The committee shall consist of 3 arbitrators, selected from a list of licensed graders compiled by the department. Each party shall appoint one arbitrator and 2 arbitrators shall appoint a third. The decision of the arbitration committee on the grade of the cheese shall bind the parties. The party who requests arbitration shall pay the costs thereof.

(2) In lieu of arbitration any party affected by a grade certification may appeal to the department as provided in s. 93.11, Stats. Such appeal shall be requested in writing and shall be made not later than 10 days following the date of delivery to the purchaser.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.10 Regrading.** Cheese that has developed any objectionable off-flavor or other defects after being graded shall be regraded. Original grade marks shall be removed and correct grade marks applied.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.11 Explanation of terms used in grading.** Terms used in grading shall have the following meanings: (1) **SLIGHT.** Detected only upon critical examination.

(2) **DEFINITE.** Not intense but detectable.

(3) **PRONOUNCED.** So intense as to be easily identified.

(4) **CLEAN.** Shall mean a pleasing cheese flavor according to the age of the cheese.

(5) **GOOD BODY.** Means a cheese that is firm and smooth to the touch, is not pasty, sticky, wet, weak, crumbly, mealy or acidy.

(6) **GOOD TEXTURE.** Means cheese that may have mechanical openings, may also have a few shot holes, but must not be pinhole, bloated or split.

(7) **MECHANICAL OPENINGS.** Means irregular shaped openings in the cheese.

(8) **WEAK.** Easily deformed by pressure.

(9) **PASTY.** Paste-like consistency when worked between thumb and finger.

(10) **MEALY.** Means crumbly, easily reduced to a condition resembling corn meal when worked between thumb and finger.

(11) **PINHOLE.** Means having a hole the size of a pin puncture to the size of a pinhead.

(12) **FEED.** Feed flavors (such as cabbage, sweet clover, silage, weed or similar feed) in milk carried through into the cheese.

(13) **ACID.** Sharp and puckery to the taste, characteristic of lactic acid.

(14) **FLAT.** Insipid, practically devoid of any characteristic cheese flavor.

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- (15) **BITTER.** Distasteful, similar to taste of quinine.
- (16) **FRUITY.** A sweet, fruit-like flavor.
- (17) **UNCLEAN.** A flavor that is suggestive of improper or inadequate washing and sterilization of milking utensils or factory equipment.
- (18) **METALLIC.** A flavor having qualities suggestive of metal, imparting a puckery sensation.
- (19) **YEASTY.** A flavor indicating yeasty fermentation.
- (20) **MALTY.** A distinctive, harsh flavor suggestive of malt.
- (21) **OLD MILK.** Lacks freshness.
- (22) **BARNY.** A flavor characteristic of the odor of a barn or stable.
- (23) **LIPASE.** A flavor suggestive of rancidity or butyric acid, sometimes associated with a bitterness.
- (24) **BROKEN DOWN.** Changed from a firm, smooth, curdy condition to a waxy condition.
- (25) **SMOOTH.** Feels silky; not dry and coarse or rough.
- (26) **CLOSE.** Practically free from openings.
- (27) **WAXY.** When worked between the fingers, molds well like wax or cold butter.
- (28) **TRANSLUCENT.** The appearance of being partially transparent.
- (29) **CURDY.** Smooth but firm; when worked between the fingers is rubbery and not waxy.
- (30) **SWEET HOLES.** Spherical gas holes, glossy in appearance; usually about  $\frac{1}{8}$  inch in diameter or smaller.
- (31) **SHORT.** No elasticity to the plug; when rubbed between the thumb and fingers it tends toward mealiness.
- (32) **CRUMBLY.** Loosely knit and tends to fall apart when rubbed between the thumb and fingers.
- (33) **GASSY.** Gas holes of various sizes, which may be scattered.
- (34) **SLITTY.** Narrow elongated slits generally associated with a cheese that is gassy or yeasty.
- (35) **CORKY.** Hard, tough, firm cheese which does not readily break down when rubbed between the thumb and fingers.
- (36) **UNCOLORED.** Absence of artificial coloring.
- (37) **WAVY.** Unevenness of color which appears as layers or waves.
- (38) **ACID-CUT.** Bleached or faded appearance which sometimes varies throughout the cheese, appearing most often around mechanical openings.
- (39) **DULL OR FADED.** A color condition lacking in lustre or translucency.

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(40) **WRAPPER OR COVERING.** Transparent or opaque material (plastic film type or foil) next to the surface of the cheese, used as an enclosure or covering of the cheese.

(41) **ADEQUATELY AND SECURELY ENVELOP.** Wrapper or covering properly sealed, and entirely enclosing the cheese, with sufficient adherence for ample protection and prevention of mold.

(42) **SMOOTH SURFACE.** Not rough or uneven.

(43) **SOILED SURFACE.** Milkstone, rust spots or other discoloration on the surface of the cheese.

(44) **SURFACE MOLD.** Mold on the exterior of the cheese.

(45) **MOLD UNDER WRAPPER OR COVERING.** Mold spots or areas that have formed under the wrapper or on the cheese.

(46) **ROUGH SURFACE.** Lacks smoothness.

(47) **LOPSIDED.** One side of the cheese is higher than the other side.

(48) **SOFT SPOTS.** Soft to the touch, and the spots are usually faded and moist.

(49) **HUFFED.** Swollen because of gas fermentation. The cheese becomes rounded or oval in shape instead of being flat.

(50) **RIND ROT.** Soft spots on the rind that have become discolored and have decayed or decomposed.

(51) **PARAFFIN.** Refined paraffin, amorphous wax or any combination of such or any other suitable substance.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.12 Cheese trier.** (1) Cheese shall be graded on the basis of one or more plugs drawn at random from cheese made from a single vat. The plug shall be drawn through the use of a cheese trier.

(2) Cheese triers used for the plugging of cheese shall be constructed with 5 inch barrels tapered from  $\frac{3}{8}$  inch in diameter at the large end down to  $\frac{15}{32}$  inch in diameter on the small end. The cutting depth of the barrel is  $\frac{7}{16}$  inch at the small end and  $\frac{5}{16}$  inch at the large end.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.13 Moisture and milkfat.** (1) The moisture content of each variety of cheese for which grade standards have been adopted under this chapter shall not exceed the following:

(a) **BRICK** — 44% moisture.

(b) **MUENSTER** — 46% moisture.

(2) The solids of each variety of cheese in sub. (1) shall contain not less than 50% milkfat.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.14 Records.** (1) Licensed graders shall maintain records showing the name of the person for whom cheese is graded, the quantity or amount of cheese graded, the identification of grading of each lot of Register, July, 1981, No. 307



cheese and the date of grading. Such records shall be maintained for a period of 2 years and be subject to inspection by the department upon request.

(2) Any person participating in the state grade certification program shall maintain a record of the type and amount of cheese graded, the date of grading by the department and the amount of cheese sold or distributed in packages bearing the state certification grade mark. Such records shall be maintained for a period of 2 years and subject to inspection by the department upon request.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.15 Cheese from other states and foreign countries.** Cheese originating from other states or foreign countries and assembled in Wisconsin for further packaging or distribution, shall be plainly marked or identified on the outside container or receptacle in which it is received as follows:

(1) Cheese originating from foreign countries shall be identified by type and the name of country of origin.

(2) Cheese originating from other states shall be identified by type and the name of the state of origin or the code number assigned to states by the Ninth National Conference of Interstate Milk Shipments, and the factory serial number assigned to the dairy plant in which the cheese was produced.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.16 Exemption.** The department, to facilitate the development of improved methods of production and marketing, may exempt any cheese producer or dealer from the specific requirements of this chapter. Application for exemption shall be made in writing setting forth the reasons for the requested exemption. The department shall issue a letter of exemption only upon a satisfactory showing by the applicant that his proposed method of producing or marketing cheese is both unique and commercially feasible, and that compliance with certain specific requirements would be unduly restrictive or otherwise deter development of the proposed new production or marketing method.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.

**Ag 82.17 Authority; enforcement.** This chapter is adopted under authority of ss.93.07(1), 93.09 and 93.10, Stats. Any person violating this chapter may be punished as provided in s.93.21, Stats.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.