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Support of Assembly Bill 555
Assembly Committee on Agriculture
Tuesday, January 9

Thank you Chair Tranel and members of the Assembly Committee on Agriculture for the opportunity to testify in favor of Assembly Bill 555.

This past summer, numerous individuals at the St. Croix and Dunn County Fairs, who expressed their concerns about the recent United States Department of Agriculture (USDA) approval of lab-grown meat being sold in retail outlets. Their apprehensions centered around the safety, nutritional value, and potential impact on the Wisconsin agricultural sector. Assembly Bill 555 aims to establish transparency in the marketplace by guaranteeing that consumers receive accurate information to make well-informed purchasing decisions.

In June of last year, the USDA sanctioned the sale of cultivated meat, a revolutionary addition to our food industry. This lab-grown meat, produced from animal cell cultures in a laboratory setting, represents a novel category of food products.

Assembly Bill 555 mandates that any meat product developed through the culturing or reproduction of animal proteins or tissues outside a living animal's body be labeled explicitly as "Lab-Grown Meat." This labeling requirement will also apply to packaging in retail stores, restaurant menus, and promotional materials. Non-compliance with this regulation will attract penalties similar to those for mislabeling margarine, ranging from a fine of \$100 to \$500, possible imprisonment for up to 3 months, or both.

Our intention is not to prohibit these new products but to ensure they are clearly and accurately labeled. This will uphold the integrity of our traditional agricultural products and enable consumers to discern between conventional meat and lab-grown alternatives. It is essential that the distinction, particularly in terms of nutritional content, between these two types of meat is transparent and easily understandable to the consumer.

In summary, Assembly Bill 555 is a measured and necessary step towards ensuring consumer transparency and maintaining the integrity of Wisconsin's agricultural products in the face of emerging food technologies.



SHAE SORTWELL

STATE REPRESENTATIVE • 2nd ASSEMBLY DISTRICT

**Written Testimony
Assembly Committee on Agriculture
January 9, 2024
Assembly Bill 555**

Chairman Tranel and members of the Assembly Committee on Agriculture – Thank you for giving me the opportunity to provide written testimony for AB 555, relating to labeling a food product as containing lab-grown animal cells, providing an exemption from emergency procedures, and providing a penalty.

Last year, the U.S. Department of Agriculture granted approval for the sale of meat made from animal cells in grocery stores and at restaurants. Albeit not my top option for food preference, I support Wisconsinites' freedom of choice to consume this product.

Nonetheless, we should make sure this meat is labeled properly to alleviate future consumer confusion and maintain transparency in the meat industry. People have a right to know what food they are buying and eating. To ensure that, AB 555 serves as a truth-in-labeling piece of legislation. The penalty for violating this requirement mirrors Wisconsin statute for margarine, which is a \$100-\$500 fine or imprisonment for up to 3 months for the first offense and a \$500-\$1000 fine or imprisonment for 6-12 months for each subsequent offense.

I appreciate the opportunity to testify, and I thank you again for offering to hear this legislation.

Testimony on 2023 Assembly Bill 555

Assembly Committee on Agriculture

January 9th, 2024

Thank you, Chair Tranel and Committee Members, for the opportunity to testify on 2023 Assembly Bill 555. On behalf of Wisconsin Farm Bureau Federation, we would like to express our support for this important legislation and appreciation for the bill's authors, Representative Moses and Senator Quinn, as well as those in co-sponsorship for your leadership in bringing this important legislation forward.

Assembly Bill 555 provides a necessary labeling requirement for lab-grown meat products. The Wisconsin Farm Bureau has long supported the prohibition of commonly known and industry recognized food terms, such as "meat" and "fish" in the labeling of alternatively derived imitation products.

While plant-based derivatives like nut beverages or vegan meat-like substances have become more available, they use a recipe of plant ingredients to imitate the properties of meat and dairy products. While these products can often be purchased unintentionally by consumers looking for traditional products, their audience is often still vegan, vegetarian, or food sensitive consumers looking for that product alternative.

Laboratory manufactured proteins or cell-cultured grown proteins are different. The products subject to labeling requirements created in AB 555 use animal-derived protein cells that are cultured in a lab and then duplicated in a manufacturing process to create protein cells and then formed and colored into a loaf intended to replicate what you and I know of as a steak, chicken, bacon, and fish. They have a consumer focus far different than the plant-based alternative products. These products are intentionally marketing themselves to compete with and replace meat for consumers in the meat case.

The manufacturers of these products have a goal to not only replace meat in the market, but to demean and disparage the natural production process of meat, while obscuring and withholding their production process from consumers. Labeling products as "meat", but then including added tenor of it somehow these products being "clean" or "climate-friendly" is an inherent attempt to disparage agricultural processes while attempting to provide consumers with an emotional virtue that buying this product is somehow an improvement upon nature.

Words like meat need to mean something. These products are not widely available yet and remain predominately cost prohibitive to be produced at a larger scale, adopting labeling requirements now seems appropriate to provide transparent consumer information, before we have these cell-cultured lab manufactured protein loafs directly in the meat counter competing against traditional products. Labeling requirements would help consumers draw a clear distinction when purchasing these manufactured proteins from the fresh, natural meats we know, raised by farmers.



Testimony of

Michael Semmann

On Behalf of the

Wisconsin Grocers Association

Before the

Committee on Agriculture

Assembly Bill 555/Senate Bill 544

January 9, 2024

Mr. Chairman, thank you for the opportunity to speak before the committee today in opposition of Assembly Bill 555 relating to labeling a food product as containing lab-grown animal cells, providing an exemption from emergency rule procedures, and providing a penalty.

On behalf of the Wisconsin Grocers Association (WGA) and Wisconsin's food retailers, we understand and applaud the intent behind this bill as product labeling is a critical component of food safety. Labeling provides consumers with important information about the product's ingredients, nutritional value, origin, and other specifications. Proper labeling enables customers to make informed decisions about the products they're buying and be aware of any potential risks or allergies associated with them. Labeling also helps customers compare products from different companies, allowing them to select the most suitable product for their needs.

However, this bill would place an undue burden on retailers due to the liability portion of the bill. According to a report by FMI, the average number of items carried in a smaller to average size store in 2022 was 31,530¹. However, the reality is that the number of products in a grocery store can vary widely depending on the size of the store and the location². WGA estimates that larger Wisconsin stores can carry over 75,000 items.

Retailers would be held liable for any violation of the bill, even if they were not aware that the food products they were selling contained cultured animal cells or tissue derived from cultured animal cells. This liability shift (including penalties) onto retailers, who would be forced to take on the responsibility of ensuring that every product they sell is in compliance with the bill, is misplaced. We believe opportunities exist to explore options which would accomplish the objectives of the bill without placing Wisconsin's grocers in a position of greater liability and risk.

1. <https://www.fmi.org/our-research/food-industry-facts>
2. <https://moneyzine.com/personal-finance-resources/grocery-shopping-statistics/>

The Wisconsin Grocers Association (WGA) is a non-profit trade association established in 1900 to represent independent grocers and grocery chains, warehouses & brokers, vendors, suppliers, and manufacturers before all levels of government. The WGA provides educational and networking opportunities, leadership training, public affairs, and compliance information for its membership.

WGA and its membership have a significant Economic Impact in the state of Wisconsin. The WGA represents nearly 350 independent grocers with multiple locations across the state, more than 200 retail grocery chain stores, warehouses and distributors, convenience stores, food brokers and suppliers. Wisconsin grocers employ over 30,000 people with over \$1 billion in payroll and generate more than \$12 billion in annual sales in Wisconsin resulting in approximately \$800 million in state sales tax revenue. (Data provided by The Food Institute).

WAMP Testimony
AB 555-Support
January 9, 2024

Good afternoon Chairman Tranel and members of the committee. My name is Jake Sailer and I am here in support of Assembly Bill 555 which requires labeling of lab-grown meats. I am here as the current President of the Wisconsin Association of Meat Processors and also on behalf of my business Sailer's Food Market & Meat Processing. My family has been meat processors in the City of Elmwood since 1923 and I am a 5th generation meat cutter.

Thank you for the opportunity to speak on this subject. I would also like to thank Rep. Moses for introducing this proposal. As a meat processor in Wisconsin, labeling is a big part of our business and clear, transparent labeling is crucial for consumer awareness and the overall integrity of the food industry. Our self-service, prepackaged meat products must have a label that includes: The true name of the product and contingent statement.; an accurate list of ingredients in descending order of predominance.; The place of business or where the product was made, including address and zip code; An accurate statement of the product's net weight unless weighed at time of sale; and A handling statement, such as "Keep Refrigerated," if it is perishable.

The federal government has begun to regulate lab grown animal cells and AB 555 is necessary to update Wisconsin law to include specific labeling requirements for food containing lab-grown animal cells. As an emerging area of food science, we believe this law change is necessary to update Wisconsin statutes and include the new terminology.

Our company and industry has a long-standing commitment to providing consumers with high-quality meat products while adhering to the highest standards of safety and transparency. We recognize the growing interest and development of lab-grown meat alternatives, and we believe that consumers have the right to know what they are purchasing and consuming.

In addition to consumer choice and transparency, labeling of lab-grown meat prevents misleading marketing that may confuse consumers about the nature of the product. It is essential to maintain a level playing field for all players in the meat industry.

Lab-grown meat may also have different compositions than traditional meat products, and clear labeling is necessary to provide accurate information about potential allergens. This is particularly important for individuals with dietary restrictions or allergies.

As a meat cutter, I am a big supporter of innovation and diversification within the meat processing industry, however I believe that all products, regardless of their origin, should be subject to the same standards of transparency and consumer disclosure.

In conclusion, AB 555 aligns with our values and commitment to providing consumers with clear information about the products they purchase. We believe that mandatory labeling for lab-grown meat is a step in the right direction for the industry, promoting transparency and ensuring that consumers can make informed choices.

Thank you for your attention to this matter, and I urge you to support AB 555 for the benefit of consumers, the meat industry, and the overall integrity of our food supply.

**Testimony of the Association for Meat, Poultry and Seafood (AMPS) Innovation
Before the Wisconsin Committee on Agriculture Regarding
Assembly Bill 555 – An Act Relating to Labeling a Food Product as Containing Lab-Grown Animal Cells**

The Association for Meat, Poultry, and Seafood (AMPS) Innovation appreciates the opportunity to provide written testimony regarding Assembly Bill 555, which would impose unnecessary and inappropriate requirements on the labeling of cell-cultured/cultivated products. AMPS Innovation is an association of food companies working to advance new methods for producing safe, high-quality meat, poultry and seafood products directly from animal cells.

AMPS Innovation appreciates the Assembly's interest in cell-cultured/cultivated products. Cell-cultured/cultivated meat, poultry and seafood represents an exciting new sector of the food industry and will help support the world's growing demand for protein. However, we respectfully oppose AB 555, which would prohibit the sale or offer for sale of a food product that contains cultured animal cells or cultured animal tissue derived from cultured animal cells unless the food product is labeled as "containing lab-grown animal cells".

We would like to be very clear that cell-cultured/cultivated products are intended to complement the existing food supply by providing another option for consumers. It cannot and will not replace or supplant traditional meat, poultry and seafood. The cell-cultured/cultivated meat, poultry and seafood industry continues to make progress toward commercialization, as evidenced through announcements by the U.S. Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA) on the completion of premarket safety consultations, label approvals and grants of inspection for cultured chicken. As stated by the FDA, human food produced from animal cells must meet the same stringent requirements as other foods. It should also be noted that AMPS Innovation and its members strongly support the use of descriptors for the purposes of labeling to help consumers differentiate products that are cell-cultured/cultivated from those that are conventionally produced.

Cell-cultured/cultivated meat will be regulated under the Federal Meat Inspection Act (FMIA) while cell-cultured/cultivated poultry will be regulated by the Poultry Products Inspection Act (PPIA), and both FDA and USDA are developing the regulatory framework, including labeling requirements, for these products. The FMIA and the PPIA contain language stating if any federal law directly conflicts with state law, the state law is preempted. Therefore, the development of state-based labeling requirements for cell-cultured/cultivated meat and poultry is unnecessary and will likely conflict with federal labeling requirements. It should also be noted that cell-cultured/cultivated products are not available in the state of Wisconsin at this time, so prescribing labeling requirements for these products is premature.

Finally, AMPS Innovation strongly objects to the term "lab-grown," which is neither scientifically accurate nor informative to consumers. The products consumers purchase will be produced in factories or breweries, not labs, like any large-scale food production system. AMPS Innovation supports the terms "cell-cultured" and "cultivated", which we expect will be the terms proposed by FDA and USDA. It is for these reasons that AMPS Innovation respectfully opposes AB 555 and requests that it be withdrawn. Imposing the labeling requirements proposed by this legislation is unnecessary because they will be preempted by federal regulations. They are also inappropriate as the term "lab-grown" is not scientifically accurate or informative to consumers.



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Assembly Agriculture Committee Hearing – January 9, 2024
Support for 2023 Assembly Bill 555 –Labeling of Lab Grown Meat
Rachel Harmann, Wisconsin Cattlemen's Association

Representative Tranel and Members of the Committee. My name is Rachel Harmann. I am a Wisconsin beef producer. My husband, brother-in-law, sister-in-law, and I own Lakeshore Land & Livestock in Algoma where we run cow/calf pairs and raise steers. When our children take over our farm, they will be the 7th generation to farm in our family. I am also the Legislative Chair of the Wisconsin Cattlemen's Association. **The Wisconsin Cattlemen's Association SUPPORTS AB 555, legislation which would require any food product that contains cultured animal cells or cultured animal tissue to be labeled as containing lab-grown animal cells.**

The Wisconsin Cattlemen's Association is the state association representing Wisconsin's beef producers. Our mission statement is, "To promote the Wisconsin beef business through advocacy, leadership, and education." Our support for AB 555 is two-fold: protecting the integrity of our beef products and alleviating consumer confusion regarding the actual labeling of products.

Clear meat labeling standards are important to Wisconsin beef producers. We believe that the establishment of clear labeling standards will protect the integrity of our beef products. A significant amount of time, effort, and money has been spent by our industry to establish and maintain a healthy, wholesome, and nutritious product. The proper labeling of products that *do not* contain our naturally grown meat will help protect the integrity of our products that have been established over time.

We are concerned that unclear product labels create consumer confusion. The National Cattlemen's Beef Association (NCBA) conducted a survey in September 2019 of almost 2,000 consumers to test confusion between alternative meat products and actual meat. The survey asked consumers questions using specific brand labels. More than half of the consumers surveyed noted confusion due to the use of the words "beef" or "meat" on the label of an entirely plant-based or cultured cell product. Use of the terms "beef," "meat" or "meatier" on the label of a plant-based or cell cultured products can cause consumer confusion.

We do not believe that labeling standards will interfere with technology or the development of alternative products. Proper labels will simply ensure that no alternative meat products mislead consumers into thinking that they are purchasing our Wisconsin-grown beef.

Clear definitions under Wisconsin law and federal law will also help both state and federal governments know how to best regulate these products. Regulation of food and food products is managed by multiple state and federal agencies. Although this legislation addresses labeling for consumer sales, clear definitions will likely become increasingly important as regulations evolve to address regulation of new food products, such as cultured meat or plant-based meat substitutes.

Representative Tranel and Members of the Committee, thank you for holding a hearing on this legislation.



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January 9, 2024

TO: Assembly Committee on Agriculture

FR: Susan Quam, Executive Vice President

Written Testimony for Information Only

AB 555 Labeling of a Food Product as Containing Lab-Grown Animal Cells

Thank you Chair Tranel and Committee for the opportunity to submit written testimony on AB 555 Labeling of a Food Product as Containing Lab-Grown Cells.

Restaurants in Wisconsin and around the country take the responsibility to keep the public informed regarding product ingredients seriously. Consumers want to know where and how their food was grown and produced and for many restaurants, informing customers of this type of information is also a part of their marketing strategy to gain repeat customers.

However, when it comes to mandatory labeling laws that impact restaurant menus, there are factors that need to be considered. The WRA has opposed mandatory labeling on restaurant menus, due to the difficulty in changing menus at the last minute because of product changes. We do not oppose labeling of products on packaging, specification sheets, marketing materials or in other retail situations where the items is packaged for direct sale to the consumer.

The restaurant supply chain is at times very volatile, and it can be hard for our supplier partners to always have the exact product a restaurant has ordered. In these cases, the supplier may bring a substitute product that is close to the specs outlined by the restaurant but may not meet every one exactly. Depending on the situation, a restaurant may accept or reject the substitution, but at times they have to make the choice of accept it or have no product for a busy weekend.

We are concerned that if the provisions of AB 555 were put in place, without an exemption for restaurant menus, the possibility of a restaurant inadvertently violating the mandate could happen. As outlined above, ingredient substitutions happen regularly in the restaurant industry. If a restaurant or the supplier was not fully aware that a substitute product contained meat product covered under this bill, they would open themselves up for enforcement action or consumer litigation.

For the majority of restaurants, changing a menu at the "last minute" to include changes in ingredients covered by mandatory labeling is not possible. Even with today's on-demand printing technology, few restaurants print their own menus. They work with supplier partners who help them layout and develop attractive designs that are meant to work for as long as possible, because changes/reprinting is expensive. For this reason, most federal labeling requirements exempt restaurant menus.

We encourage the bill's authors to exempt restaurant menus from this labeling requirement. This exemption would not remove the responsibility of the restaurant to disclose the origin of its menu items should a customer ask, just as they are currently required to do for allergens. Nor would it prevent restaurants from voluntarily complying with the labeling, if they have the ability to print menus in-house.

(Continued on next page)

The Wisconsin Restaurant Association (WRA) represents over 7,000 restaurant locations statewide and represents all segments of the restaurant and hospitality industry. Our membership includes food establishments of all types and sizes, such as seasonal drive-ins, supper clubs, diners, bars, locally owned franchisees, fine-dining, and hotels/resorts. The majority of our members have alcohol licenses. Over 75 percent of our membership is independent restaurants or restaurant groups. Regardless of ownership type, all restaurants are the cornerstones of their neighborhoods and communities. Restaurants not only provide great food, drink, and hospitality, they support schools, teams, charities and churches with fundraising and donations. They provide meeting places to celebrate, mourn and organize, or just provide a safe, tasty meal for a busy family.