

Wisconsin Department of Agriculture, Trade and Consumer Protection

Business Impact Analysis

<i>Rule Subject:</i>	Wisconsin certified honey and the sale of products represented as honey.
<i>Adm. Code Reference:</i>	ATCP 157
<i>Rules Clearinghouse #:</i>	Not yet assigned
<i>DATCP Docket #:</i>	10-R-03

Background

Wisconsin honey production ranked eighth in the United States in 2010. The number of colonies managed by producers who have five colonies or more increased by 8% compared to 2009, and total production increased by 15%. The value of Wisconsin's 2010 honey crop was estimated to be \$7.27 million. There are approximately 900 honey producers in the state.

This rule will require that any product labeled "Wisconsin honey" meet the standard for honey contained in the Codex Alimentarius of the Food and Agriculture Organization of the United Nations and the World Health Organization and must be produced in Wisconsin. This rule will prohibit any person from selling in Wisconsin, as "honey," any product that fails to meet the standard. Some products sold as "honey" have been shown to contain a variety of non-honey ingredients such as rice syrup, high fructose corn syrup and other artificial sweeteners. Dangerous contaminants such as the antibiotic chloramphenicol have also been detected in samples of honey imported from foreign countries. Approximately 2/3 of the honey consumed in the United States is imported from other countries.

Rule Overview

This rule does all of the following:

Renumbers the current ch. ATCP 157, Honey and Maple Syrup to place it with other food regulations.

Establishes standards for honey that conform to the standard of honey under the Codex Alimentarius of the Food and Agriculture Organization of the United Nations and the World Health Organization, number 12-1981, as revised in 2001.

Provides that a person may label a product "Wisconsin certified honey" or imply that a product is Wisconsin certified honey only if all of the following apply:

- a. The product has been determined to meet the standards for honey established under the Codex Alimentarius.
- b. The product has been tested moisture, glucose and fructose, and sucrose content using the methods and analysis established under the Codex Alimentarius.
- c. A summary of the testing is submitted to the department for approval.
- d. The product is produced in this state.

Defines “produced in Wisconsin” as honey produced in and collected from hives that are maintained in the state of Wisconsin.

Provides for charging a \$50 fee for review and approval of testing summaries submitted to the department.

Provides that a product labeled as or otherwise implied to be honey is required to conform to the Codex Alimentarius standard for honey.

Business Impact

Businesses that wish to sell honey labeled “Wisconsin certified honey” will have to have the honey tested each year at a laboratory that follows the Codex Alimentarius testing procedures and will have to submit a summary of the testing to DATCP for its review and approval. There are approximately 900 honey producers in Wisconsin. It is estimated that fifty will choose to have their honey tested so that it may be labeled “Wisconsin Certified Honey”. Those businesses will incur the cost of the laboratory testing and the \$50 fee DATCP will charge to review the test summary. The cost for the testing and DATCP review will not produce a significant impact on small business.

Conclusion

This rule will not have a significant impact on small business.

Dated this _____ day of _____, 2011.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____
Steve Ingham, Administrator,
Division of Food Safety