

## **Appendix A**

# RULEMAKING HEARING

## Hearing Appearances and Testimony

**Rule Subject:** Wisconsin Certified Honey and the Sale of Products  
**Represented as Honey**  
**Adm. Code Reference:** ATCP 157, Wis. Adm. Code  
**Rules Clearinghouse #:** CR 11-038  
**DATCP Docket #:** 10-R-03

Madison, WI  
 July 25, 2011

Person/Organization	Testified- Y/N	Written- Y/N	Registered at Hearing	Position/Comments
Tim Fulton/ President, Wisconsin Honey Producers Association	Y	Y	Y	Supports the rule with some concerns about certification cost. They thought DATCP would do test the honey. Noted the WHPA was involved in drafting the bill. In general, fully supports the rule.
Lee Heine/Wisconsin Honey Producers Association	Y	N	Y	Supports the rule. Honey producers wanted a better bill than had been past is Florida and California. Cost is an issue, but he felt it could be worked out and could possibly be underwritten by the association, private money, or state and federal grants. Expressed concern about honey illegally imported into the country and said that it is important to protect the consumer, the beekeeper and agriculture. One-third of crops need to be pollinated.
Daniel Buch	Y	N	Y	Supports the rule. Third generation beekeeper. Honey producers need a level playing field. They can't compete with corn syrup or rice sugar. If practice continues, they may be the

Person/Organization	Testified- Y/N	Written- Y/N	Registered at Hearing	Position/Comments
				last generation of honey producers.
Derald Kettlewell/ VP Wisconsin Honey Producers Association	Y	N	Y	Supports rule. Agrees with other speakers. Honey is a pure product. Need to maintain its reputation because without it they can't compete. Rules can assure consumer they're buying quality product. Want to keep cost low to encourage participation.
Roland Diehnelt/Linden Apiary	Y	Y	Y	Favors part, opposes part. Fifth generation honey producer. Raised questions as to whether the tests in the proposed rule would prove that honey is real.
Wally Nass	N	N	Y	Supports the rule.
Christian Diehnelt/Linden Apiary	N	N	Y	Favors part, opposes part.
Alan Baldwin/Baldwin Apiaries	N	N	Y	Supports the rule.
Karen Buch	N	N	Y	Supports the rule.

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**Represented as Honey**  
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**Rules Clearinghouse #:** CR 11-038  
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Stevens Point, WI  
 July 28, 2011

Person/Organization	Testified- Y/N	Written- Y/N	Registered at Hearing	Position/Comments
Roland Diehnelt/Linden Apiary	Y	Y	Y	Neither support nor opposed. Best way to proceed is to establish a standard by taking numerous samples of honey throughout Wisconsin, submit them for tests including isotope tests and reconvene with those results.
Douglas Hauke/ Hauke Honey Corporation	Y	N	Y	Supports the rule. Agrees with testing listed in proposed rule. Would like it if samples could be sent to different labs and tested to identify whether results were consistent between labs. Should give some latitude on the test results because some producers do supplemental feeding that can distort the results.
Derald Kettlewell/ VP Wisconsin Honey Producers Association	Y	N	Y	Supports rule. Reiterates concern about the cost of testing and would like to keep costs as low as possible.
Christian Diehnelt/Linden Apiary	N	N	Y	Favor part, oppose part.

## **Appendix B**

**Written Testimony**  
**ATCP 157, Wis. Adm. Code**

**Wisconsin Certified Honey and the Sale of Products Represented as Honey**

Name/Organization	City	Comments	Position
Louis Neal	Dodgeville, WI	Fifth generation beekeeper concerned about the sale of honey that has been diluted with corn syrup, rice syrup, and other substances. Those who sell pure honey should not have to compete with those products. Customers deserve to know that what they are buying is pure honey.	Supports Wis. Act 169
Heather Shebesta	Kaukauna, WI	Supports the main body of Assembly Bill 575 and Wis. Act 169 and see this is necessary to protect Wisconsin's honey production industry. Concerned about the application and testing costs. Wisconsin Certified Honey should be available to as many beekeepers as possible to have access to the certification.	Supports Wis. Act 169, concerned about costs
Tom and Marjorie Rice	Waukesha, WI	Supports the main body of Assembly Bill 575 and Wis. Act 169 and see this is necessary to protect Wisconsin's honey production industry. Concerned about the application and testing costs. Wisconsin Certified Honey should be available to as many beekeepers as possible to have access to the certification.	Supports Wis. Act 169, concerned about costs
Tim Fulton, President Wisconsin Honey Producers Association	Kenosha, WI	The membership voted unanimously to support Wis. Act 169 which directs DATCP to promulgate rules related to prohibit the sale as "honey" of any product that fails to meet the identity standard contained within Assembly Bill 575. The WHPA is concerned that the cost of application and testing would prohibit a significant number of	Supports Wis. Act 169, concerned about costs

Name/Organization	City	Comments	Position
		honey producers in the State from participating in this program. We ask that DATCP reconsider the cost of application and testing to bring the overall cost of participation in this program to a reasonable level. The WHPA strongly supports this act in principle and recommends it be carried forward with consideration to making "Wisconsin Certified Honey" available to as many Wisconsin Honey Producers possible.	
Mike Speich	Not listed	Small honey producer who feels that the costs would make it prohibitive for him to participate in the program. Sees value for larger beekeepers. Said that small honey producers would never sell any product that is questionable.	Concerned about costs
Jeannette Fitzgerald	Not listed	Wisconsin has the reputation of having the best honey produced anywhere. Please do not pass the bill that will allow adulteration of Wisconsin honey.	Does not support allowing adulteration of honey
Roland Diehnelt/ Linden Apiary	Menomonee Falls, WI	Not confident that sugar analysis is adequate for determining whether honey is real. He was going to research carbon ratio isotope testing.	Does not support rule in current version
Sandy Mannix	Burlington, WI	Add name to support bill AB575 to keep only honey in honey, not corn or rice syrup.	Supports Wis. Act 169
Betsy True	Middleton, WI	Backyard beekeeper who hopes to market pure honey. Urges support of the "Honey Bill" to require that honey not be adulterated with corn or rice syrup at packaging and sold as pure honey. Would also like the certification to be accessible to the small side line beekeepers, not just the commercial beekeepers. Would not like to	Supports Wis. Act 169, concerned about costs

Name/Organization	City	Comments	Position
		see this as a tool to squeeze the little guy with under 50 hives out of the market.	
John Smith/ Board of Directors of Sioux Honey Association	Not listed	Supports Honey Rule Bill 157. Promotion is important for the beekeeping industry.	Supports
Lex Bailey	Richland Center, WI	Small honey producer who would appreciate a level playing field and expresses support for AB575 and Wisconsin Act 169.	Supports Wis. Act 169
Tracy Malterer/ Bee in my Bonnet	Iron Ridge, WI	"Backyard beekeeper" who expresses support for AB575 and Wis. Act 169. Would like the department to carefully consider cost so small honey producers can become "Wisconsin Certified Honey." Wisconsin honey producers must compete with other brands that sell adulterated and/or foreign honey.	Supports Wis. Act 169, concerned about costs
Roland Diehnelt/ Linden Apiary	Menomonee Falls, WI	Bees that were migratory be considered Wisconsin honey only if the floral source is from Wisconsin.	Indicates neither support or opposition, suggestion
Bob Baker/ Cummins Emission Solutions	Not listed	Support passing the bill. Asks for help keeping Wisconsin Honey a pure and unique product.	Supports Wis. Act 169
Rod Draheim/Member Brown County Beekeeper	Not listed	Would like to see Wisconsin law require honest labeling of our honey products. Not familiar with all the details in this legislation, so cannot comment on that. Wants "pure Wisconsin honey" in our stores.	Supports honest labeling of honey
Mary L.Lotten	Not listed	Very timely to see Wisconsin move ahead with certification since there are no federal standards for honey. We need to educate consumers about certification and what they may be buying in a product originating from other parts of the country or world which very likely are tainted with other sugars or corn syrup and other impurities. It	Supports, concerned about costs



Name/Organization	City	Comments	Position
		should not be a requirement for all producers but it would be advantageous for the large apiaries to certify as their product has a much larger market. The cost of certifying should be reasonable for the producer. Costs are passed on to the consumer which in turn would increase the price per pound.	