

State of Wisconsin  
Department of Agriculture, Trade and Consumer Protection

**NOTICE OF HEARING**

The Wisconsin Department of Agriculture, Trade and Consumer Protection (Department) announces that it will hold public hearings on the proposed permanent rule relating to ATCP 75 and its Appendix, Retail Food Establishments and the Wisconsin Food Code. The public hearings will also provide time for comments on rules affecting ATCP 55 Meat and Poultry Products, ATCP 70 Food Processing Plants, and the emergency rule affecting ATCP 70 Food Processing Plants that took effect October 1, 2017.

The Department will hold five public hearings at the times and places shown below.

**Hearing Dates and Locations:**

**November 16, 2017 Thursday 9:30 a.m. – 3:30 p.m.**

The Mead Public Library – The Rocca Room  
710 N. 8<sup>th</sup> Street, Sheboygan, WI

**November 22, 2017 Wednesday 9:30 a.m. – 3:30 p.m.**

Division of Public Health Regional Office  
2187 N. Stevens Street, Rhinelander, WI

**November 24, 2017 Friday 9:00 a.m. – 3:30 p.m.**

The Prairie Oak State Office Building – Room 106  
2811 Agriculture Drive, Madison, WI

**December 1, 2017 Friday 9:30 a.m. - 3:30 p.m.**

The Wisconsin State Office Building – Room 129  
718 W. Clairemont Ave., Eau Claire, WI

**December 8, 2017 Friday 9:30 a.m. – 3:30 p.m.**

The Shawano Public Library  
128 South Sawyer Street, Shawano, WI

The Department invites the public to attend the hearings and comment on the proposed rule. Following the public hearings, the hearing record will remain open until December 15, 2017, for additional public comments. Comments may be sent to the Department at the address below, to [Peter.haase@wisconsin.gov](mailto:Peter.haase@wisconsin.gov), or to <http://docs.legis.wisconsin.gov/code/comment>

You can obtain a free copy of the hearing draft and related documents, including the economic impact analysis, by contacting the Department using the information below. Copies will also be available at the hearing. To view the hearing draft rules online, go to <http://docs.legis.wisconsin.gov/code/comment>.

**Initial Regulatory Flexibility Analysis**

The rule should not have a major economic effect on retail food establishments since it mainly replaces and updates current rules. The major change in ch. ATCP 75 is the change in the criteria for assigning license fees. The rule more realistically ties the cost of the license to the complexity and food safety hazards of the processing activities going on and not to the size of the establishment and dollar volume of sales. In many cases, larger establishments that may have been paying a higher license fee because of the sales volume will now pay a lower fee if their processing is not complex or hazardous. The Department's

analyses suggest that the overall change in total license fees charged will be negligible. The proposed licensing fee criteria more fairly reflects the time and personnel costs to the Department for the inspection.

Comments or concerns relating to small business may be addressed to DATCP's small business regulatory coordinator Keeley Moll at the address below, by emailing [keeley.moll@wisconsin.gov](mailto:keeley.moll@wisconsin.gov), or by telephone at (608) 224-5039.

**Accommodations**

Hearing impaired persons may request an interpreter for this hearing. Please make reservations for a hearing interpreter by November 6, 2017, by contacting Peter Haase using the information below. The hearing facilities are handicap accessible.

**Department Contact:**

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