



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Bradley M. Pfaff, Secretary

DATE: October 24, 2019

TO: Board of Agriculture, Trade and Consumer Protection

FROM: Brad Pfaff, Secretary
Dr. Steve Ingham, Division of Food and Recreational Safety Administrator

SUBJECT: Cheese Enforcement Update

PRESENTED BY: Steve Ingham

REQUESTED ACTION:

None – information only.

SUMMARY:

At the September 19, 2019 Board meeting, public comments were made regarding a complicated Division of Food and Recreational Safety enforcement case involving a large amount of cheese which had been voluntarily removed from the human food stream and was instead to be used as mink feed. The comments alleged that despite this voluntary decision, the cheese had been prepared to be moved from the animal feed stream back to the human food stream. Given DATCP's leading role in ensuring a safe, secure food supply, the Department began an in-depth investigation of these activities when first alerted to them in March, 2018.

The Department gathered substantial amounts of evidence in this case and sought assistance from the Department of Justice (DOJ) in deciding what, if any, further actions should be taken. As noted in the comments presented on September 19, 2019, the DOJ in August, 2019 declined to take the case. Subsequently, the Department released pertinent records from the case in response to an Open Records Request made by one of the commenters.

Today, we will present the key facts in this enforcement case, explain the existing links between the human and animal food streams, address the limitations in the Department's legal authority that necessitated seeking DOJ help, and suggest potential improvements.

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