



State of Wisconsin  
Governor Tony Evers

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**Department of Agriculture, Trade and Consumer Protection**  
Secretary Randy Romanski

**DATE:** September 22, 2021

**TO:** Board of Agriculture, Trade and Consumer Protection

**FROM:** Randy Romanski, Secretary  
Lara Sutherlin, Administrator, Division of Trade and Consumer Protection

**SUBJECT: ATCP 90-91-92: Fair Packaging and Labeling; Selling Commodities by Weight, Measure or Count; Weights and Measures; Rulemaking Scope Statement Public Hearing Approval**

**TO BE PRESENTED BY:** David A. Woldseth, Policy Analyst

**REQUESTED ACTION:**

At the September 22, 2022 Board meeting, the Department of Agriculture, Trade and Consumer Protection (DATCP) will ask the DATCP Board to approve a public hearing for proposed technical amendments to three current DATCP rules related to fair packaging and labeling, selling commodities by weight, measure or count, and weights and measures.

A scope statement spells out the general purpose and scope of a proposed rule. In accordance with Wis. Stat. § 227.135 (2), the Governor approved this scope statement for permanent rule changes on August 25, 2022, thereby allowing DATCP to submit this scope statement for publication and to seek approval of the scope statement by the DATCP Board.

DATCP formally published this scope statement in the August 29, 2022 *Wisconsin Administrative Register* and filed a copy with the Department of Administration at least 10 days before the Board could approve the scope statement. After publication, the Joint Committee for the Review of Administrative Rules required DATCP to hold a public hearing on the scope statement under Wis. Stat. § 227.136 (1). DATCP plans to hold that hearing on Thursday, October 13, 2022, at 11:00 a.m. in the DATCP Board Room with an electronic attendance option.

If the Board approves the scope statement hearing, the Department will consider any public comments to the scope statement and seek approval of it at a future Board meeting.

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**State of Wisconsin**  
**Department of Agriculture, Trade and Consumer Protection**

**NOTICE OF PUBLIC HEARING AND COMMENT PERIOD FOR SS 073-22**

The Wisconsin Department of Agriculture, Trade and Consumer Protection (Department) announces that, pursuant to Wis. Stat. s. 227.136 (1), it has been ordered by the Joint Committee for Review of Administrative Rules to hold a preliminary public hearing and comment period on its proposed Statement of Scope pertaining to Wis. Admin Code chs. 90, 91, and 92, relating to fair packaging and labeling, selling commodities by weight, measure or count, and weights and measures.

**Hearing Information**

Date: Thursday, October 13, 2022

Time: 11:00 a.m.

Location: Board Room, Prairie Oaks State Office Building, 2811 Agriculture Drive, Madison, WI

The hearing has a virtual option:

<https://www.zoomgov.com/j/1613846217?pwd=TVRySkZxSWJ4K2luMGN5bStpbS9wZz09>

Meeting ID: 161 384 6217

**Accessibility**

Pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please contact David A. Woldseth at [DavidA.Woldseth@wisconsin.gov](mailto:DavidA.Woldseth@wisconsin.gov), or (608) 224-5164 with specific information on your request at least 10 days before the date of the scheduled hearing.

**Appearances at the Hearing and Submittal of Written Comments**

The statement of scope may be reviewed and comments made at [https://docs.legis.wisconsin.gov/code/scope\\_statements/comment](https://docs.legis.wisconsin.gov/code/scope_statements/comment) or to David A. Woldseth at [DavidA.Woldseth@wisconsin.gov](mailto:DavidA.Woldseth@wisconsin.gov) no later than the close of business on Friday, October 14, 2022.

**Agency Small Business Regulatory Coordinator**

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