

To: All Legislators

From: Senator Marklein

Representative Moses

Date: January 25, 2021

Re: Co-sponsorship of LRB 0748/1 and LRB 1216/1 relating to: labeling a product as meat and granting rule-making authority

Deadline: Wednesday, February 3rd @ Noon

Burger King has the “Impossible Whopper”, TGI Friday’s sells the “Beyond Meat Cheeseburger”, and MorningStar Farms markets “Buffalo Wings”. Based on the product names, one would think that these products are made with meat. However, this could not be further from the truth. These products are all 100% plant-based and do not have one ounce of meat in them.

To make matters worse, the “Impossible Whopper” is one of the first item listed under “Burgers” on the online version of Burger King’s menu. TGI Friday’s puts its “Beyond Meat Cheeseburger” in the same section as the all-beef hamburgers on its menu. In addition, Target and Meijer both sell MorningStar Farms “Buffalo Wings” and they are often shelved right next to real meat products. These practices not only hurt the Wisconsin meat and agriculture industry, but mislead and confuse the consumer.

To alleviate consumer confusion and to support Wisconsin’s farm economy, LRB 0748 implements a truth-in-labeling law for meat products. The bill would make labeling plant-based meat alternatives and cell-cultured meat alternatives as “meat” or a similar term, such as “burger”, “sausage”, “chicken wing”, or “bacon”, illegal. This would apply to packaging on products sold in stores, menus in restaurants, and promotional materials.

LRB 0748 defines meat as: the edible part of the flesh of a mammal, bird, reptile, amphibian, mollusk, or insect that does not include cultured animal tissue that is produced from animal cell cultures.

Similar legislation is now law in at least 11 other states, including North Dakota and South Dakota. In general, these measures have been passed with broad bipartisan support. Similar legislation has also been introduced in at least a dozen other states including Iowa, Indiana, and Illinois.

This legislation is supported by Wisconsin Cattlemen’s Association, the Wisconsin Pork Association, the Wisconsin Farm Bureau, and the Dairy Business Association.

To cosponsor LRB 0748/1 and LRB 1216/1, please contact Vince in Sen. Marklein’s office (6-0703) or Maryjane in Rep. Moses’ office (6-7683). Cosponsors will automatically be signed onto both bills.

Analysis by the Legislative Reference Bureau

Under this bill, no person may label a food product as, or sell or offer for sale a food product that is labeled as, any type of meat product or “meat” unless the food product is derived

from an edible part of the flesh of an animal or any part of an insect and does not include cultured animal tissue that is produced from animal cell cultures. The bill defines “animal” as a mammal, bird, reptile, amphibian, or mollusk. The bill also requires the Department of Agriculture, Trade and Consumer Protection to promulgate rules to implement the prohibition in the bill.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.