

**BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
MINUTES**

March 2, 2023

The Board of Agriculture, Trade and Consumer Protection (Board) met in the DATCP Boardroom, 2811 Agriculture Drive, Madison, WI 53718 and via zoom on **March 2, 2023**. The meeting was preceded by public notice as required by Wis. Stat. §19.84.

Call to Order

Board Chair Doug Rebout called the meeting to order at 9:01 a.m.

Members Present

Paul Bauer, Andy Diercks, Dr. Clare Hintz, Miranda Leis, Doug Rebout, Dan Smith, and Carla Washington.

Not present: Paul Palmby

Minutes

Motion

A motion was made by Paul Bauer and seconded by Miranda Leis to approve the January 26, 2023, Board minutes. Motion was approved unanimously.

**Amanda J. Knutson, Supervisory Special Agent
FBI Milwaukee**

Special Agent Amanda Knutson presented on FBI cybercrimes to the Board. The FBI Cyber Unit's mission is to impose risk and consequence on cyber adversaries through unique authorities, world-class capabilities, and enduring partnerships, while building on a century of innovation. Special Agent Knutson touched on basic cyber concepts and terminology, ransomware, business email compromises, cybersecurity recommendations, resources and how to report cyber incidences during her presentation.

Public Appearances

The following made public appearances in front of the Board today:

Sean Burke regarding consumer protection.

**ATCP 93 Flammable Combustible Hazardous Liquid
Division of Trade and Consumer Protection
Preliminary Public Hearing**

David Woldseth, Program and Policy Analyst from the Division of Trade and Consumer Protection requested approval of the Preliminary Public Hearing Notice for Wis. Admin. Code ch. ATCP 93 from the Board.

Motion

A motion was made by Andy Diercks and seconded by Miranda Leis to approve the Preliminary Public Hearing Notice for Wis. Admin. Code ch. ATCP 93. Motion was approved unanimously.

**ATCP 72 Hotels, Motels and Tourist Rooming Houses
Division of Food and Recreational Safety
Preliminary Public Hearing**

Andrea Northwood, Program and Policy Analyst, from the Division of Food and Recreational Safety requested approval of the Preliminary Public Hearing Notice for Wis. Admin. Code ch. ATCP 72, from the Board.

Motion

A motion was made by Dan Smith and seconded by Paul Bauer to approve the Preliminary Public Hearing Notice for Wis. Admin. Code ch. ATCP 72. Motion was approved unanimously.

**ATCP 82 Bulk Milk Collection, Sampling and Transportation
Division of Food and Recreational Safety
Statement of Scope**

Andrea Northwood, Program and Policy Analyst, from the Division of Food and Recreational Safety requested approval of the Statement of Scope for Wis. Admin. Code ch. ATCP 82, from the Board.

Motion

A motion was made by Paul Bauer and seconded by Miranda Leis to approve the Statement of Scope for Wis. Admin. Code ch. ATCP 82. Motion was approved unanimously.

**Wisconsin Agricultural Statistics Survey Update
Greg Bussler**

Greg Bussler, State Statistician from the USDA National Agricultural Statistics Service presented his March 2, 2023 report to the Board on December Prices Received, Vegetables, Milk Production, Results from the January Livestock Surveys, Farms and Land in Farms, and other noteworthy items.

**2022 Ag Export Recap
Division of Agricultural Development**

Mark Rhoda-Reis, Bureau Director from the Export and Business Development Bureau, presented a 2022 recap of Agricultural exports to the Board. Wisconsin food, forestry and agriculture product exports set a record in 2022, according to U.S. Census trade data. Exports were shipped to 142 countries totaling nearly \$4.22 billion which is a 7% increase from the previous record in 2021. U.S. agricultural exports totaled more than \$220 billion in 2022, and were up 10% from

the previous year. Following the fourth quarter of 2022, Wisconsin ranks 12th in the nation for agricultural exports.

Division of Trade and Consumer Protection – 2022 Review
Division of Trade and Consumer Protection

Michael Domke, Director, presented the Bureau of Consumer Protection Top Ten Complaints to the Board. The Bureau of Consumer Protection received more than 11,000 customer complaints in 2022 and they returned over \$2.8 million to affected customers. The following were the top 10 complaints in 2022:

1. Landlord Tennant
2. Telemarketing
3. Home Improvement
4. Telecommunications
5. Identity Theft
6. Medical Services
7. Travel
8. Health and Medical Products
9. Furniture/Home Furnishings
10. Auto Sales

Michelle Reinen, Acting Administrator, presented the Bureau of Weights and Measures Inspection Statistics to the Board. Weights and Measures is comprised of four distinct areas: traditional, laboratory, storage tanks, and fuel quality. In 2022 the Division completed 315,166 traditional weights and measures inspections, 13,722 metrology laboratory standards were tested, 7,015 petroleum storage tank inspections were completed, and they screened over 9,000 field fuel quality samples.

Michelle Reinen, Acting Administrator, presented the Division's Overview of Enforcement Activities to the Board. When a consumer complaint is received the complaint is entered into our system within 1 day, then it is assigned to a mediator/inspector. Within 2 weeks the Department has contact with the business and consumer, and the Division responds to the complaint within 60 days. The Department has statutory authority in civil investigative demands, subpoenas, and sworn statements under oath. The Department also has enforcement options in the following areas: non-compliance, cease & desist, warning letters, assurance of voluntary compliance, red-tag or order off sale, in-house settlements via consent agreements, referrals to DOJ or a District Attorney for prosecution, and special order authority. On the contrary, the Department has limitations in these enforcement areas: statutory authority on issue, statutory reference to other regulations, fines or forfeitures, damages or quality of workmanship, representing individuals, and prosecutions by DOJ or a District Attorney.

Office of the Secretary Report

Secretary Randy Romanski presented the Office of the Secretary update to the Board on:

- The daily input received through our customer service survey where we receive a lot of positive comments that span across all our Divisions.
- Governor's proposed budget.
 - The Governor proposed \$2.8 million for international agricultural exports.
 - Meat Inspector positions. We currently have project positions that we are asking to become permanent.
 - 6 FTEs for the Division of Animal Health's Animal Disease Response Prevention Unit.
 - Producer Watershed Grant Program.
 - Nitrogen Optimization.
 - Cover Crop Program.
 - Increasing Meat Processor Grants.
 - Food Security Program funding.
 - Increasing Dairy Processor Grants.
 - Funding for Farmer Mental Health Program.
 - Electric Vehicle Charging Station protections.
 - Broadband service by 2025
 - Local roads and bridges, rails and harbor investments.
 - Workforce training.
- NASDA winter policy conference update.
 - Wisconsin and DATCP proposed 2 actions items that were adopted both relating to Animal Health.
 - DATCP Supported flavored milk to be an option in schools.
 - Food Export Association of the Midwest met at NASDA and Secretary Romanski was named Secretary Treasurer.
- Grant and funding opportunities. We opened applications for Meat Processor Grants and Buy Local and Buy Wisconsin Grants
- Staffing update. Joe Meyer Division Administrator for DFRS returned to the private sector. We wish him well in his new position.
- DATCP started recruitment for the next Wisconsin Ag Council.
- Celebrated FFA week. Secretary Romanski spoke to students at the capital.
- Secretary Romanski visited Milwaukee Vincent High School to talk about their agricultural program students.

Board Member Updates

The following DATCP Board members commented on industry, business, training and personal agricultural issues that arose since the last Board meeting: Paul Bauer, Andy Diercks, Dr. Clare Hintz, Miranda Leis, Doug Rebut, and Dan Smith.

Future Agenda Items

- Dan Smith would like an update on the Livestock Siting Council.
- Andy Diercks would like an update on Nitrogen. Secretary Romanski requested to invite the DNR Secretary.

- Tour update – May Board meeting we will be traveling to Ellsworth Cooperative Creamery and for the September Board meeting we will be traveling to the Farming for the Future Foundation.

Adjournment

Motion

A motion to adjourn was made by Miranda Leis and seconded by Paul Bauer. Motion approved unanimously. The Board adjourned at approximately 12:11 p.m.

All reports and any associated documents presented during a Board meeting can be accessed by contacting the datcpboard2@wisconsin.gov or (608) 224-5029.