

What's Happening with Retail Food and Recreational Programs

James Kaplanek

**Chief Retail Food and Recreational
Programs**

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

March, 2020



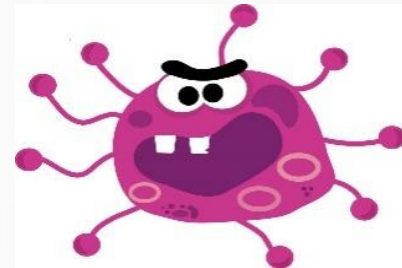
ATCP 75 Rule Changes

- Micro markets – new requirements
- Licensing and pre-inspection fees – change of operator
- Inspection standards incorporated
- Wholesaling for Retail Food Establishments



ATCP 75 Appendix: Changes

- Variance request and HACCP Plans – special processes
- Mobile Food includes interstate railway.
- Certified Food Manager in all retail food establishments
- 90 days to obtain CFM
- Food employee restriction



ATCP 75 Appendix: Changes

- Clean of vomiting and diarrheal events - procedures
- Grinding logs – Requirement
- Refilling returnables
- Thawing fish
- Dogs in outside seating areas



ATCP 75 Appendix: Changes

- Certified food manager requirement for schools
- Sanitizers no longer need department approval
- Food contact surfaces and utensils shall be cleaned to remove allergens
- No more food prep in warewashing sinks



ATCP 76 (Pool Code) Updates

- Scope statement approved
- Public Hearings held in February
- Advisory committees



ATCP 78 (Rec Ed Camps) Updates

- Scope statement approved
- Public Hearings held in February
- Advisory committees



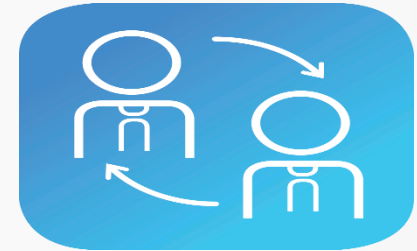
Rule Updates for 2021-2022

- Updating Wisconsin Food Code to the 2021 Federal Food Code
- Updating the Lodging code
- Updating the Bed and Breakfast Code



Changes in Staff

- Sam Fiscus has left State Service – Mary Ellen Bruesch will be handling Swimming Pools and Recreational Educational Camps
- Ted Tuchalski will handle Lodging and Campgrounds
- Both Ted and Mary Ellen will still be resources for you – Continuous cross-training
- New hire is in process



Fee Discussion



- Part of the next campground code revision
- 2008 - the last time fees were addressed
- WACO will continue to be a part of rule discussions
- Would like to move to more risk based assessment for complexity for licensing categories, similar to retail licensing
- Start to think about changes in the camping industry that we will need to address in the future.

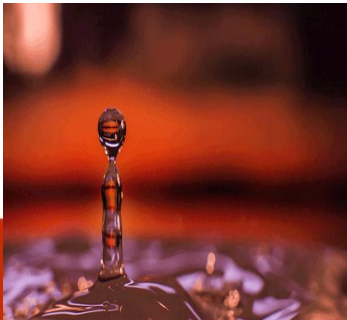
Changes in Licenses

- 3. a. Except as provided under subd. 3. b., if a permit holder sells or otherwise transfers ownership or operation of a campground to another person, a new permit is required under s. 97.67 (2) (a), Stats., and the campground may not be opened to the public until the department or its agent has issued a new permit.



Changes in Licenses

- b. As provided in s. 97.67 (2) (b) and (c), Stats., an individual may transfer a permit to an immediate family member, if the individual is transferring operation of the campground. A sole proprietorship that reorganizes as a business entity, as defined in s. 179.70 (1), Stats., or a business entity that reorganizes as a sole proprietorship or a different type of business entity may transfer a permit to the newly formed business entity or sole proprietorship if the campground remains at the location for which the permit was issued and at least one individual who had an ownership interest in the sole proprietorship or business entity to which the permit was issued has an ownership interest in the newly formed sole proprietorship or business entity.



Changes in Licenses

- New wrinkle
 - New owner purchases the LLC or Corporation in its entirety.





- James Kaplanek
- Chief of Retail Food and Recreational Programs
- Wisconsin Department of Agriculture, Trade and Consumer Protection
- 608-224-4735
- James.Kaplanek@Wisconsin.gov

