

Wisconsin Institute for Law and Liberty: WILL to argue against motion supporting protectionist butter law

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Contact: Cameron Sholty, WILL Communications Director

[414-727-7416](tel:414-727-7416)

[262-409-9816](tel:262-409-9816)

cameron@will-law.org

Milwaukee, Wisconsin – Tomorrow in Ozaukee County Circuit Court at 11:00 am, the Wisconsin Institute for Law & Liberty will argue against a motion filed by the state of Wisconsin in support of its protectionist butter law. In March, on behalf of four consumers and Slow Pokes Local Foods, WILL filed a lawsuit against the State of Wisconsin to preserve the freedom to buy and sell whatever type of butter one wishes to.

Wisconsin's current protectionist law requires butter that is bought and sold to be labeled by the government. This archaic labeling regime prevents very popular butter such as Kerrygold, as well as other internationally produced butters, from being enjoyed by Wisconsin residents. Violators risk jail time or thousands of dollars in fines.

The state moved to dismiss the first two counts in the complaint, relating to violations of the due process and equal protection clauses of the Wisconsin Constitution. WILL has opposed the motion.

According to WILL President Rick Esenberg, who will be arguing against the motion "the State is attempting to quickly dismiss the due process and equal protection claims without discovery or a trial. That's not surprising because it's hard to see

what could justify a government mandated taste test. The government concedes it's not health or safety - the law's got nothing to do with either - so it's hard to imagine what the purpose is other than the desire to protect locally packaged butters. But that motivation has been consistently rejected by Wisconsin's highest court."

The full complaint can be found [here](#). WILL's response to the State's Motion to Dismiss is available [here](#). For additional information regarding WILL and its Center for Competitive Federalism, including a full listing of its recent policy reports and model legislation, please visit the [CCF website](#).

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