



CAWP

COALITION AGAINST WATERY PROTEIN

Independent Public-Interest Advocacy Coalition | CAWP.life

September 1, 2026

The Honorable Rob Kreibich
Wisconsin State Assembly, District 28
The Honorable Rob Stafsholt
Wisconsin State Senate, District 10

RE: CAWP Legislative Proposal 2026-001 — Protein Shake Integrity Act of 2026

Dear Representative Kreibich and Senator Stafsholt:

On behalf of the Coalition Against Watery Protein (CAWP), we respectfully request consideration of the enclosed Protein Shake Integrity Act of 2026, a narrowly tailored consumer-protection, dairy-integrity, and public-welfare proposal addressing the preparation of powdered protein beverages with water when an appropriate milk-based medium is reasonably available.

The issue is frequently dismissed as a matter of individual taste. CAWP rejects that characterization. The substitution of water for milk materially alters viscosity, suspended-solids behavior, mouthfeel, caloric density, flavor-carrier performance, and the overall organoleptic integrity of a protein beverage. In practical terms, a product engineered to resemble a shake can be reduced to a thin, nutritionally joyless suspension whose continued legality raises legitimate questions of public policy.

Wisconsin has an additional and uniquely compelling interest. As a state whose agricultural identity and economy are closely associated with dairy production, Wisconsin should not remain neutral when otherwise serviceable milk is displaced by tap water in circumstances where the consumer plainly intended to prepare a shake. CAWP therefore proposes a graduated enforcement structure emphasizing education for inadvertent first offenses while permitting custodial enforcement for knowing, aggravated, and repeat violations.

The enclosed proposal also establishes a limited recognition program for emergency communications personnel whose calls result in qualifying arrests under the Act. For reasons supported by extensive internal deliberation, the appropriate award is four (4) bonus points per qualifying arrest. CAWP considers this figure settled.

We recognize that formal legislation introduced in Wisconsin is prepared through the Legislative Reference Bureau at the request of an authorized legislative requester. Accordingly, the enclosed language is submitted as an advocacy proposal and statement of legislative intent rather than as an official bill draft. We respectfully ask that you consider sponsoring or requesting appropriately drafted legislation addressing this preventable crisis.

Respectfully submitted,

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POLICY BRIEF 2026-001

The Watery Protein Crisis

Scientific, Economic, and Public-Welfare Basis for Legislative Intervention

Executive Finding

CAWP finds that water-based preparation of powdered protein supplements produces a predictable degradation in beverage quality that cannot be adequately addressed through voluntary restraint alone. The harm is multidimensional: rheological dilution, diminished flavor perception, reduced creaminess, loss of dairy-derived nutrients, and unnecessary displacement of Wisconsin milk. Although no single characteristic independently establishes an emergency, their cumulative effect warrants a measured statutory response.

Technical Basis

Viscosity degradation. Water generally produces a lower-viscosity suspension than milk, reducing the sensory characteristics conventionally associated with a shake.

Flavor-carrier impairment. Milk contributes fat, protein, lactose, and dissolved solids that alter sweetness perception, aroma release, and flavor persistence. Water contributes wetness.

Suspension quality. The absence of milk solids can produce a thinner matrix with reduced body and less forgiving powder dispersion.

Nutritional displacement. Replacing milk with water eliminates the calories, protein, carbohydrates, minerals, and other nutrients that milk would otherwise contribute. CAWP recognizes that individual dietary goals vary; this fact does not make watery protein pleasant.

Dairy-market externality. Every avoidable water-based shake represents a theoretical lost opportunity for dairy utilization. CAWP considers this especially offensive within Wisconsin.

Proposed Policy Objective

The State should establish a rebuttable presumption that a beverage marketed, described, or reasonably understood as a “protein shake” should be prepared with milk or an appropriate milk-like beverage unless the preparer has a legitimate dietary, medical, availability, emergency, or informed-preference basis for using water. The Act is not intended to criminalize hydration. It is intended to protect the word “shake.”

Enforcement Philosophy

CAWP recommends proportional enforcement. Accidental conduct should be corrected. Reckless conduct should be cited. Knowing and repeated conduct, particularly where milk was present and deliberately ignored, should expose the offender to arrestable penalties. Enforcement discretion should remain available for genuine emergencies, post-workout exigencies, and refrigerators rendered milkless through no fault of the preparer.

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LEGISLATIVE PROPOSAL 2026-001

Protein Shake Integrity Act of 2026

AN ACT relating to minimum preparation standards for powdered protein beverages; protecting dairy integrity; establishing civil and criminal penalties for aggravated watery-protein misconduct; recognizing qualifying emergency communications personnel; and providing exceptions.

SECTION 1. Short title.

This Act may be cited as the “Protein Shake Integrity Act of 2026.”

SECTION 2. Legislative findings.

1. The preparation of powdered protein with water can materially diminish viscosity, mouthfeel, flavor persistence, and shake-like character.
2. Wisconsin possesses a legitimate economic and cultural interest in the reasonable utilization of dairy products.
3. Consumers retain the right to use water when required by dietary restriction, allergy, intolerance, medical advice, lack of access, caloric objectives, emergency conditions, or informed personal preference.
4. A person who knowingly possesses suitable milk, affirmatively desires a shake-like beverage, and nevertheless chooses water without adequate justification demonstrates conduct sufficiently troubling to warrant graduated intervention.
5. Repeat watery-protein conduct may indicate a pattern resistant to education and ordinary social pressure.

SECTION 3. Definitions.

“**Appropriate milk-based medium**” means dairy milk or another milk-like beverage reasonably capable of producing a shake-consistent texture and flavor profile.

“**Protein beverage**” means a beverage produced by combining powdered protein supplement with a liquid medium.

“**Watery protein**” means a protein beverage prepared principally with water and possessing a consistency substantially below that reasonably expected of a shake.

“**Knowing preparation**” means preparation by a person who is aware that water is being used and who has reasonable access to an appropriate alternative.

“**Aggravated watery-protein misconduct**” means a knowing violation involving repeat conduct, deliberate rejection of readily available milk, public encouragement of watery-protein preparation, or preparation under circumstances demonstrating manifest indifference to beverage integrity.

“**Bonus point**” means one point awarded for purposes of calculating bonus points under Section 7 of this Act.

SECTION 4. Minimum protein-shake preparation standard.

A person preparing a protein beverage represented as a protein shake should use an appropriate milk-based medium when reasonably available, unless an exception under Section 8 applies. Nothing in this section prohibits a person from preparing a water-based protein beverage, provided that the resulting beverage is not falsely afforded the dignity, expectations, or nomenclature of a proper shake.

SECTION 5. Violations and penalties.

First negligent offense: Written warning, education regarding lawful shake preparation, and a reasonable opportunity to obtain milk.

Knowing offense: Civil forfeiture not exceeding \$25 or completion of a remedial dairy-integrity education module.

Second knowing offense within 12 months: Civil forfeiture not exceeding \$100 and mandatory documentation of refrigerator milk status.

Aggravated watery-protein misconduct: Classified as an arrestable misdemeanor-level offense under the policy proposed by CAWP, subject to final statutory classification and constitutional review by appropriate legislative counsel.

Habitual watery-protein misconduct: Three or more knowing violations within 12 months may support enhanced penalties and referral for comprehensive beverage judgment assessment.

SECTION 6. Probable cause considerations.

The mere possession of protein powder and water does not establish probable cause. Relevant circumstances may include an empty or nearly empty milk container, contemporaneous statements expressing awareness that milk would taste better, photographic evidence of a visibly thin shake, admission that the preparer “forgot to get milk,” or other facts demonstrating knowing disregard of reasonable dairy alternatives.

SECTION 7. Emergency communications personnel recognition.

- (1) For each custodial arrest arising from an offense established pursuant to this Act, an eligible 911 dispatcher or other emergency communications professional materially associated with the qualifying call shall receive four (4) bonus points.
- (2) The award shall be four points per arrest, regardless of beverage flavor, arresting agency, container size, or the number of scoops involved.
- (3) Bonus points have no monetary value, are not redeemable for leave, compensation, retirement credit, or preferential scheduling, and exist solely because four points was determined to be the correct number.
- (4) Nothing in this section prohibits an eligible dispatcher from being excited about crimes, provided all professional standards applicable to emergency communications remain fully observed.

SECTION 8. Exceptions and affirmative defenses.

- Documented or reasonably asserted dairy allergy, lactose intolerance, medical restriction, or dietary requirement.
- Use of water pursuant to a deliberate caloric or nutritional objective.
- No milk or suitable milk-like beverage reasonably available at the time of preparation.
- Emergency post-exercise conditions in which immediate protein consumption reasonably outweighs beverage quality.
- Equipment, refrigeration, supply-chain, or grocery-procurement failure.
- An informed adult knowingly choosing water after being advised that the result may be gross.
- Any circumstance in which enforcement would be more ridiculous than the underlying offense.

SECTION 9. Construction.

This proposal shall be construed to advance dairy integrity without interfering with legitimate hydration, dietary autonomy, or common sense. Nothing herein shall be interpreted to authorize a search of a refrigerator without lawful authority or to require law enforcement to taste suspected evidence.

SECTION 10. Effective date.

CAWP recommends that the Act take effect on the first day of the third month beginning after publication, thereby providing sufficient time for public education, milk acquisition, dispatcher scorekeeping preparation, and orderly adjustment of shaker-bottle practices.

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CAWP POSITION STATEMENT

Why Wisconsin Should Act

A Wisconsin-Specific Interest

CAWP's position is not that every protein beverage must contain dairy. Rather, Wisconsin is uniquely situated to recognize that milk is not merely an optional white liquid occupying refrigerator space. It is a functional beverage ingredient with measurable effects on texture, nutrition, flavor, and consumer satisfaction. Where a resident possesses milk, wants a shake, and nevertheless reaches for the faucet, the State has at minimum an educational interest.

Public Safety Impact

CAWP anticipates minimal impact on public-safety resources because most residents are expected to comply voluntarily once informed that society is watching. Arrest authority is reserved for aggravated circumstances and repeat conduct. The four-point dispatcher provision is expected to improve morale by introducing a transparent, easy-to-administer, and entirely nonfinancial recognition metric.

Fiscal Considerations

Direct fiscal effects are expected to be limited. Potential administrative costs associated with warnings, citations, dairy-integrity education, and bonus-point recordkeeping may be partially offset by increased milk purchases, reduced incidence of regrettable post-workout beverages, and the intangible economic benefit of preserving Wisconsin's reputation as a place where dairy still means something.

Requested Legislative Action

CAWP respectfully requests that Representative Kreibich and Senator Stafsholt review the policy objectives contained in this packet and consider requesting formal drafting assistance for legislation that protects protein-shake integrity while preserving reasonable exceptions. CAWP is available to provide stakeholder testimony, technical clarification, anecdotal evidence, and first-hand accounts of the consequences of inadequate milk procurement.

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Protein deserves better.