



**PRESS RELEASE from
LIBERTY JUSTICE CENTER**

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**FAMILY-OWNED, WISCONSIN MEAT SHOP SUES BIDEN ADMINISTRATION OVER
ILLEGAL, FEDERAL MASK “MANDATE”**

Nolechek’s Meats is suing the Biden Administration after a federal agency threatened to withhold the “USDA Mark of Inspection” on its meat products because its Wisconsin-based facility is mask-optional for employees

THORP, Wis. (Dec. 2, 2021) – A fourth-generation, family-owned and -operated meat shop in central Wisconsin is fighting back against the federal government’s efforts to impose an illegal federal mask mandate on small businesses. Nolechek’s Meats has filed a federal lawsuit against the Biden Administration, after federal food inspectors threatened to withhold the USDA Mark of Inspection on its meat products because Nolechek’s is located in a mask-optional state and is a mask-optional workplace. Without the USDA Mark of Inspection, Nolechek’s products could be labeled “adulterated,” recalled and the meat shop would be prohibited from selling to wholesalers outside Wisconsin — crippling its business.

Nolechek’s Meats is located in the small town of Thorp, Wisconsin. It is represented by attorneys at the Liberty Justice Center, a national nonprofit law firm that is fighting federal vaccine mandates. The lawsuit, filed today, highlights that requiring Nolechek’s employees to mask is illegal.

“Federal food inspectors do not have the authority to mandate employees wear masks simply because their products are federally inspected. And withholding markers of food safety is nothing more than a federal shakedown. This is an illegal and gross abuse of power by the Biden Administration,” said **Buck Dougherty, senior attorney at the Liberty Justice Center**. “Nolechek’s operates a premium facility that abides by the highest food safety standards. The Biden Administration is bullying small businesses and operating far outside the powers provided by Congress to the USDA. These threats to small businesses must be stopped.”

The Nolechek family has safely and successfully crafted high-quality, gourmet meat products in Thorp, Wisconsin, for over 50 years. In 2017, the family-run business secured the right to use the Food Safety and Inspection Service (FSIS) supervised “Mark of Inspection” and begin selling products to wholesalers and commercially out of state. The company has nine employees, many of whom are family members.

In August of 2021, FSIS announced Notice 34-21—outside of the legally required rulemaking processes including allowing affected parties to comment—ordering all federally inspected establishments to force their employees to wear masks when federal inspectors are present. Out of respect for their employees’ rights, and in accordance with Wisconsin state law, the Nolechek family decided not to implement a mask mandate for their employees.

However, upon learning that Nolechek’s Meats was not complying with its mask mandate, FSIS revoked the shop’s “Mark of Inspection,” thereby restricting a significant component of its business and wrongfully implying that its products are unsafe to consume.

“Our meat shop operates under stringent food safety standards, and we would never do anything to endanger our customers. We take personal pride in our product, which has been core to the Nolechek

family for the past four generations. This is not about food safety; this is about the federal government using all the tools at its disposal to coerce people into following its skewed agenda and threatening small businesses' and Americans' rights," said **Lindsey Fox, fourth-generation co-owner of Nolechek's Meats**. "We will not stand for it. We are fighting back, not just to protect our own business and our own rights but the rights of all business owners who have been subject to the same illegal action."

The lawsuit, Nolechek's Meats, Inc. v. USDA, was filed December 2, 2021 in the United States District Court for the Western District of Wisconsin. Case filings are available here:
<https://libertyjusticecenter.org/media/nolecheks-sues-usda>.

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The Liberty Justice Center is a non-profit, public-interest litigation center that fights to protect fundamental constitutional rights. The Liberty Justice Center is best known for its 2018 U.S. Supreme Court victory in Janus v. AFSCME. Learn more about the Liberty Justice Center at LibertyJusticeCenter.org.