

HOUSE BILL NO. HB0193

Wyoming Food Freedom Act.

Sponsored by: Representative(s) Wallis, Carson, Hallinan, Harvey and Landon and Senator(s) Vasey

A BILL

for

1 AN ACT relating to agriculture; creating the Wyoming Food
2 Freedom Act; exempting certain sales from licensure,
3 certification and inspection; providing definitions; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 11-48-101 through 11-48-103 are
9 created to read:

10

11

CHAPTER 48

12

WYOMING FOOD FREEDOM ACT

13

14

11-48-101. Short title.

15

1 This chapter is known and may be cited as the "Wyoming Food
2 Freedom Act".

3

4 **11-48-102. Definitions.**

5

6 (a) As used in this chapter:

7

8 (i) "Agent" means a person who conducts commerce
9 on behalf of a producer or a processor;

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11 (ii) "Agri-tourism" means a style of vacation
12 that normally takes place on a farm or ranch and includes
13 any farm or ranch that is open to the public at least part
14 of the year. Agri-tourism may include the opportunity to
15 participate in agricultural tasks, including harvesting
16 fruits and vegetables, riding horses, tasting honey,
17 learning about wine and shopping in farm or ranch gift
18 shops and farm stands for local and regional agricultural
19 produce or hand-crafted gifts;

20

21 (iii) "End consumer" means a person who is the
22 last person to purchase any product or preparation and who
23 does not resell the product or preparation;

24

1 (iv) "Home consumption" means consumed within a
2 private home;

3

4 (v) "Processor" means any person who processes
5 or prepares products of the soil or animals for food or
6 drink;

7

8 (vi) "Producer" means any person who harvests
9 any product of the soil or animals for food or drink;

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11 (vii) "Transaction" means the exchange of buying
12 and selling.

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14 **11-48-103. Wyoming Food Freedom Act; purpose.**

15

16 (a) The purpose of the Wyoming Food Freedom Act is to
17 encourage the expansion and accessibility of farmers'
18 markets, roadside stands, ranch and farm based sales and
19 producer to end consumer agricultural sales by:

20

21 (i) Promoting the purchase and consumption of
22 fresh and local agricultural products;

23

24 (ii) Enhancing the agricultural economy;

1

2 (iii) Encouraging agri-tourism opportunities in
3 Wyoming;

4

5 (iv) Providing Wyoming citizens with unimpeded
6 access to healthy food from known sources; and

7

8 (v) Encouraging the expansion and accessibility
9 of farmers' markets, roadside stands, ranch and farm based
10 sales and direct producer to end consumer agricultural
11 sales.

12

13 (b) Any producer or processor that is selling his
14 product only at farmers' markets, roadside stands or by
15 ranch and farm based sales directly to the end consumer is
16 exempt from licensing required by W.S. 35-7-124(g).

17

18 (c) Notwithstanding any other provision of law, there
19 shall be no licensure, certification or inspection by any
20 state governmental agency or any agency of any political
21 subdivision of the state provided there is only one (1)
22 transaction between the producer, the processor, the
23 producer's agent or the processor's agent and the end
24 consumer when the food is for home consumption.

1

2 **Section 2.** W.S. 35-7-124 by creating a new subsection
3 (g) is amended to read:

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5 **35-7-124. License required; exemptions; electronic**
6 **transmittals.**

7

8 (g) The provisions of subsection (a) of this section
9 shall not apply to a producer or processor selling food
10 directly to the end consumer at farmers' markets, roadside
11 stands or by ranch and farm based sales pursuant to W.S.
12 11-48-103. The definitions in W.S. 11-48-102 shall apply
13 to this subsection.

14

15 **Section 3.** This act is effective July 1, 2009.

16

17

(END)