

HOUSE BILL NO. HB0008

Wyoming Traditional Food Act.

Sponsored by: Joint Agriculture, State and Public Lands and Water Resources Interim Committee

A BILL

for

1 AN ACT relating to food; creating the Wyoming Traditional  
2 Food Act; exempting certain activities involving the  
3 preparation, service, consumption and storage of food from  
4 licensure, permitting, certification, inspection, packaging  
5 and labeling; providing definitions; providing conforming  
6 amendments; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 35-7-1701 through 35-7-1703 are  
11 created to read:

12

13

ARTICLE 17

14

WYOMING TRADITIONAL FOOD ACT

15

16 **35-7-1701. Short title.**

1

2 This article is known and may be cited as the "Wyoming  
3 Traditional Food Act."

4

5 **35-7-1702. Definitions.**

6

7 (a) As used in this article:

8

9 (i) "Traditional event or activity" means an  
10 occasion where potentially hazardous and not potentially  
11 hazardous foods have traditionally been, and are presently,  
12 stored and prepared in a private home or a place other than  
13 an establishment, which is equipped for the storage and  
14 preparation of food for consumption or use in conducting  
15 traditional activities, including but not limited to the  
16 preparation of food:

17

18 (A) For family and nonpaying guests;

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20 (B) For weddings, funerals, potluck dinners  
21 or functions as defined in W.S. 35-7-110(a)(xxix);

22

1                   (C) For the sales of donated foods which  
2 are prepared for consumption and the sales are sponsored by  
3 a nonprofit entity as a fundraiser to support its purposes;

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5                   (D) For outdoor activities such as picnics,  
6 barbeques, roundups, camping or outdoor work conducted by  
7 employees or volunteers;

8

9                   (E) By utilizing kitchen equipment provided  
10 by employers as a convenience for the storage and  
11 preparation of foods for consumption on the premises by  
12 employees and nonpaying guests.

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14           **35-7-1703. Wyoming Traditional Food Act; purpose.**

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16 Notwithstanding any other provisions of law, there shall be  
17 no licensure, permitting, certification, inspection,  
18 packaging or labeling required by any state governmental  
19 agency or any agency of any political subdivision of the  
20 state which pertains to the preparation, serving, use,  
21 consumption or storage of foods at a traditional event or  
22 activity.

23

1           **Section 2.** W.S. 35-7-110(a)(xi), 35-7-119 by creating  
2 a new subsection (f), 35-7-121 by creating a new subsection  
3 (h) and 35-7-124 by creating a new subsection (g) are  
4 amended to read:

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6           **35-7-110. Definitions.**

7

8           (a) As used in this act:

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10                   (xi) "Establishment" means and includes any  
11 place or any area of any establishment in which foods,  
12 drugs, devices and cosmetics are displayed for sale,  
13 manufactured, processed, packed, held or stored.  
14 "Establishment" does not include a home kitchen where food  
15 is prepared and stored for family consumption, or any other  
16 place equipped for the preparation, consumption and storage  
17 of food on the premise by employees or nonpaying guests;

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19           **35-7-119. Fair packaging and labeling provisions.**

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21           (f) Subsections (a) and (c) of this section shall not  
22 apply to the preparation, service, use, consumption or  
23 storage of foods at a traditional event or activity

1 pursuant to W.S. 35-7-1703. The definitions in W.S.  
2 35-7-1702 shall apply to this subsection.

3  
4 **35-7-121. Inspections; examinations.**

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6 (h) Subsection (a) of this section shall not apply to  
7 food prepared for, served, consumed, stored or sold at a  
8 traditional event or activity pursuant to W.S. 35-7-1703.  
9 The definitions in W.S. 35-7-1702 shall apply to this  
10 subsection.

11  
12 **35-7-124. License required; exemptions; electronic**  
13 **transmittals.**

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15 (g) Subsection (a) of this section shall not apply to  
16 food prepared for, served, consumed, stored or sold at a  
17 traditional event or activity pursuant to W.S. 35-7-1703.  
18 The definitions in W.S. 35-7-1702 shall apply to this  
19 subsection.

20  
21 **Section 3.** This act is effective July 1, 2011.

22  
23 (END)