

SENATE FILE NO. SF0112

Raw milk.

Sponsored by: Senator(s) Hastert and Representative(s)
Wallis

A BILL

for

1 AN ACT relating to food; providing for sales of raw milk
2 under a small herd permit as specified; providing
3 rulemaking authority; providing a definition; and providing
4 for an effective date.

5

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

7

8 **Section 1.** W.S. 35-7-128 is created to read:

9

10 **35-7-128. Raw milk.**

11

12 (a) No person may sell or provide raw milk for human
13 consumption to other than a person in the immediate
14 household or a nonpaying guest unless the person has a
15 small herd permit as provided in this section.

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1 (b) Prior to any sale of raw milk to other than a
2 person in the immediate household or a nonpaying guest, a
3 person shall apply to the department for a small herd
4 permit to sell raw milk. A small herd under this section
5 shall be no more than three (3) lactating cows, seven (7)
6 lactating goats or seven (7) lactating sheep. The
7 application shall be on a form required by the department
8 and shall include verification of annual tuberculosis and
9 brucellosis tests for each animal in the herd.

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11 (c) All raw milk sold under a small herd permit shall
12 meet all federal and state required safety regulations
13 other than requirements for pasteurization including,
14 without limitation, requirements related to standard plate
15 count, somatic cell count and being free from antibiotic.

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17 (d) No person shall sell raw milk to a restaurant or
18 any other person who will use the raw milk in the
19 preparation of food when the end consumer may not know that
20 the food is or contains raw milk.

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22 (e) If the sale of raw milk occurs anywhere away from
23 the point of production the raw milk shall be labeled. The

1 person selling the raw milk shall obtain prior approval for
2 the label from the department.

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4 (f) The department shall adopt rules necessary for
5 the implementation of this section.

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7 (g) The department may issue an order to temporarily
8 stop the distribution of raw milk if it is deemed necessary
9 to protect human health.

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11 (h) As used in this section "raw milk" means
12 unpasteurized milk and includes any milk product or dairy
13 product produced using unpasteurized milk.

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15 **Section 2.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Article 4, Section 8 of the Wyoming
18 Constitution.

19

20 (END)