

ENROLLED ACT NO. 55, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

AN ACT relating to agriculture; extending the Wyoming Food Freedom Act to apply to home processed food; authorizing sales of certain meat products and animals under the act; allowing transactions at producers' homes; amending definitions; authorizing agencies to provide requested assistance to producers; and providing for an effective date.

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

Section 1. W.S. 11-49-101, 11-49-102(a)(intro), (iv), (vi) and by creating new paragraphs (viii) and (ix), 11-49-103(a)(intro), (b), (c)(intro), (v), by creating a new paragraph (vi), (d), (e), (g), (h) and by creating a new subsection (j) are amended to read:

11-49-101. Short title.

This ~~article-act~~ is known and may be cited as the "Wyoming Food Freedom Act."

11-49-102. Definitions.

(a) As used in this ~~article-act~~:

(iv) "Homemade" means food that is prepared or processed in a private home kitchen, that is not licensed, inspected or regulated;

(vi) "Producer" means any person who grows, harvests, or produces prepares or processes any product which may be consumed as food or drink food or drink products on the person's owned or leased property;

ENROLLED ACT NO. 55, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

(viii) "Process" means operations a producer performs in the making or treatment of the producer's food or drink products;

(ix) "This act" means W.S. 11-49-101 through 11-49-103.

11-49-103. Wyoming Food Freedom Act; purpose; exemptions; assumption of risk.

(a) The purpose of the Wyoming Food Freedom Act is to allow for ~~the~~ a producer's production and sale and consumption of homemade ~~foods~~ food or drink products for an informed end consumer's home consumption and to encourage the expansion of agricultural sales ~~by~~ at farmers markets, ranches, farms and ~~home based producers and accessibility of the same to informed end consumers~~ producers' homes by:

(b) ~~Notwithstanding any other provisions of law, there shall be no Homemade food products produced, sold and consumed in compliance with the Wyoming Food Freedom Act shall be exempt from state~~ licensure, permitting, ~~eertification,~~ inspection, packaging ~~or~~ and labeling required by any state governmental agency or any agency of any political subdivision of the state which pertains to the preparation, serving, use, consumption or storage of ~~foods or food products under the Wyoming Food Freedom Act.~~ Nothing in this article shall preclude an agency from providing assistance, consultation or inspection, when requested by the producer requirements.

(c) Transactions under this ~~section~~ act shall:

(v) Not involve the sale of meat products, ~~except~~ with the following exceptions:

ENROLLED ACT NO. 55, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

(A) The sale of poultry and poultry products ~~consistent with this article;~~ provided:

(I) The producer slaughters not more than one thousand (1,000) poultry of his own raising during any one (1) calendar year;

(II) The producer does not engage in buying or selling poultry products other than those produced from poultry of his own raising; and

(III) The poultry product is not adulterated or misbranded.

(B) The sale of live animals; ~~intended for slaughter;~~

(C) The sale of portions of live animals before slaughter for future delivery; ~~provided that the processing of the animals is done by the purchaser or by a Wyoming or federally licensed processing facility.~~

(D) The sale of domestic rabbit meat;

(E) The sale of farm raised fish provided:

(I) The fish is raised in accordance with title 23 of the Wyoming statutes; and

(II) The fish is not catfish.

(vi) Only occur at farmers markets, farms, ranches, producer's homes or offices or any location the producer and the informed end consumer agree to.

ENROLLED ACT NO. 55, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

(d) Except for raw, unprocessed ~~fruit~~fruits and vegetables, food shall not be sold or used in any commercial food establishment unless the food has been labeled, licensed, packaged, regulated or inspected as required by law.

(e) The producer shall inform the end consumer that any food product or food sold at a farmers market or through ranch, farm or home based sales pursuant to this ~~section~~act is not certified, labeled, licensed, packaged, regulated or inspected.

(g) Nothing in this ~~article~~act shall be construed to impede the Wyoming department of health in any investigation of food borne illness.

(h) Nothing in this ~~article~~act shall be construed to change the requirements for brand inspection or animal health inspections.

(j) Nothing in this act shall preclude an agency from providing assistance, consultation or inspection, at the request of the producer.

Section 2. W.S. 11-49-103(f) is repealed.

ORIGINAL HOUSE
BILL NO. HB0129

ENGROSSED

ENROLLED ACT NO. 55, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

Section 3. This act is effective July 1, 2017.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk