

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO. _____

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.

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

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

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ARTICLE 17

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WYOMING TRADITIONAL FOOD ACT

35-7-1701. Short title.

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

35-7-1702. Definitions.

(a) As used in this article:

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

(A) For family and non-paying guests;

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

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4 (C) For the sales of donated foods which
5 are prepared for consumption and the sales are sponsored by
6 a non-profit entity as a fund-raiser to support its
7 purposes;

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9 (D) For outdoor activities such as picnics,
10 barbeques, roundups, camping or outdoor work conducted by
11 employees or volunteers;

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13 (E) By utilizing kitchen equipment provided
14 by employers as a convenience for the storage and
15 preparation of foods for consumption on the premises by
16 employees and non-paying guests.

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18 **35-7-1703. Wyoming Traditional Food Act; purpose.**

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20 Notwithstanding any other provisions of law, there shall be
21 no licensure, permitting, certification, inspection,
22 packaging or labeling required by any state governmental
23 agency or any agency of any political subdivision of the

1 state which pertain to the preparation, serving, use,
2 consumption or storage of foods at a traditional event or
3 activity.

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

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10 **35-7-110. Definitions.**

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12 (a) As used in this act:

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14 (xi) "Establishment" means and includes any
15 place or any area of any establishment in which foods,
16 drugs, devices and cosmetics are displayed for sale,
17 manufactured, processed, packed, held or stored.†

18 "Establishment" does not include a home kitchen where food
19 is prepared and stored for family consumption, or any other
20 place equipped for the preparation, consumption and storage
21 of food on the premise by employees or non-paying guests;

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23 **35-7-119. Fair packaging and labeling provisions.**

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2 (f) Subsections (a) and (c) of this section shall not
3 apply to the preparation, service, use, consumption or
4 storage of foods at a traditional event or activity
5 pursuant to W.S. 35-7-1703. The definitions in W.S.
6 35-7-1702 shall apply to this subsection.

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8 **35-7-121. Inspections; examinations.**

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

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16 **35-7-124. License required; exemptions; electronic**
17 **transmittals.**

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

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

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(END)