

HOUSE BILL NO. HB0129

Food freedom act-amendments.

Sponsored by: Representative(s) Lindholm, Blackburn, Blake, Halverson, Hunt, Laursen, Pelkey, Salazar, Steinmetz and Winters and Senator(s) Barnard, Boner, Christensen and Driskill

A BILL

for

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

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

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11 **Section 1.** W.S. 11-49-101, 11-49-102(a)(intro), (iv),
12 (vi) and by creating new paragraphs (viii) and (ix),
13 11-49-103(a)(intro), (b), (c)(intro), (v), by creating a

1 new paragraph (vi), (d), (e), (g), (h) and by creating a
2 new subsection (j) are amended to read:

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4 **11-49-101. Short title.**

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

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9 **11-49-102. Definitions.**

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

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

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

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

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 5 (ix) "This act" means W.S. 11-49-101 through
 6 11-49-103.

7
 8 **11-49-103. Wyoming Food Freedom Act; purpose;**
 9 **exemptions; assumption of risk.**

10
 11 (a) The purpose of the Wyoming Food Freedom Act is to
 12 allow for ~~the~~ a producer's production and sale ~~and~~
 13 ~~consumption~~ of homemade ~~foods~~ food or drink products for an
 14 informed end consumer's home consumption and to encourage
 15 the expansion of agricultural sales ~~by~~ at farmers markets,
 16 ranches, farms and ~~home-based producers and accessibility~~
 17 ~~of the same to informed end consumers~~ producers' homes by:

18
 19 (b) ~~Notwithstanding any other provisions of law,~~
 20 ~~there shall be no~~ Homemade food products produced, sold and
 21 consumed in compliance with the Wyoming Food Freedom Act
 22 shall be exempt from state licensure, permitting,
 23 ~~certification,~~ inspection, packaging ~~or~~ and labeling

1 ~~required by any state governmental agency or any agency of~~
2 ~~any political subdivision of the state which pertains to~~
3 ~~the preparation, serving, use, consumption or storage of~~
4 ~~foods or food products under the Wyoming Food Freedom Act.~~
5 ~~Nothing in this article shall preclude an agency from~~
6 ~~providing assistance, consultation or inspection, when~~
7 ~~requested by the producer~~ requirements.

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

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

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

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

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

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(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.

(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.

(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.

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

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

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

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

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

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

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(END)