Frequently Asked Questions Regarding Food Safety Regulations Affecting Small Producers in Wyoming

Poultry

1. What are the requirements for poultry producers to direct market slaughtered and processed birds within Wyoming?

Poultry producers are allowed to direct market their slaughtered and processed birds in Wyoming provided:

a. The producer or grower slaughters no more than 1,000 healthy birds of his/her own raising in a calendar year;

b. The producer/grower may only sell processed birds that he/she raised on his/her own farm/ranch from not more than one week of age;

c. Processed birds are produced under sanitary standards, practices and procedures;

d. Records must be maintained on to whom the processed birds are sold and age verification of the birds if they were purchased to be raised on the farm/ranch;

e. Producers may sell their processed birds within Wyoming to retailers, restaurants, institutions, wholesale markets and directly to customers from his/her own farm/ranch or at farmers’ markets;

f. The processed poultry may not be sold interstate;

g. The processing facility is licensed and inspected by Consumer Health Services; and

h. The processed birds are properly labeled.

Can they slaughter on farm? Birds may be slaughtered on the farm/ranch provided it is done under sanitary conditions. Consumer Health Services has created a document titled Wyoming Poultry and Poultry Product Exemptions that provides information on what is required to process poultry under sanitary conditions and on facility construction requirements.

2. What are the requirements for poultry producers to sell processed birds to a retail outlet within Wyoming?

The steps noted above apply in this instance too.

What processors are available to poultry producers in Wyoming? If the poultry producer wants their poultry processed in a meat plant, it will have to be processed under inspection in a state inspected meat plant in Wyoming or a federal plant in another state. There are no federally inspected meat plants in Wyoming. The processor will have to contact the meat plant to see if they are capable of processing poultry.

3. What are the requirements for selling poultry across state lines?

In order to sell poultry across state lines, the poultry must be processed in a federally inspected meat or poultry plant.

Note: “Processed” in this context means slaughtered, cleaned, packaged and perhaps frozen.

4. Same questions as above for other meats (beef, bison, pork, lamb, goat- separated as needed, if regulations differ among species)? All of these meat products must be processed in a state inspected meat plant if it is to be sold within the state. In order to sell these meat products in another state (except for bison/buffalo) it must be processed in a federally inspected meat plant. Bison/buffalo may be processed in a state inspected meat plant and sold out of state provided the receiving state allows only state inspection of the bison/buffalo.

5. Produce

What are the requirements for fresh produce to be sold direct (or at farmers’ markets)? If the fresh produce is grown by the person selling the produce, there is no license required to sell it. The produce may be sold to individuals, at farmers’ markets, roadside stands and to commercial establishments. If the person selling the produce purchases produce from another grower, then a license is required to sell the produce.

What are the requirements of selling produce to a retail outlet such as Big Hollow (i.e., any standards for washing or handling? For hired labor)? The requirements to the produce are the same as noted above. There are
no standards for washing or handling the produce but the producer should take care in handling their produce so they are providing a safe product to their customers.

6. Processed Foods
What are the regulations for canned or otherwise processed produce, such as jams, jellies, salsa, pickles, soaps, etc.? In the 2009 legislative session, the Wyoming Food, Drug and Cosmetic Safety Act was revised to allow people to process food in their home kitchens without being licensed or inspected. The foods that can be processed under this exemption are limited to not-potentially hazardous foods which include jams and jellies provided they are not reduced sugar jams and jellies. Reducing the sugar may make the jam and jelly potentially hazardous. Any foods that require temperature control or has a pH higher than 4.6 are considered potentially hazardous. Salsas, pickles, etc. are considered potentially hazardous because of how they are made and because they may require temperature control to maintain the safety of the food. The not-potentially hazardous foods produced in a home kitchen may only be sold at farmers’ markets, roadside stands, private homes and at functions.

When these foods are processed in a licensed and inspected food establishment, they may then be sold to individuals and commercially.

What are the regulations for bakery items (both direct/farmer’s market & to a retail outlet)? The requirements for bakery items are the same as above. In order to sell bakery items to a retail outlet, they must be produced in a licensed and inspected food establishment.

In summary – for Processed Foods:

<table>
<thead>
<tr>
<th>Food Item</th>
<th>Unlicensed home processing</th>
<th>Where home processed foods can be sold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jams/jellies (full sugar)</td>
<td>Yes</td>
<td>farmers’ markets, roadside stands, private homes and at functions</td>
</tr>
<tr>
<td>Pickles, salsas, low-sugar jams/jellies (temp/pH control required)</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Bakery goods without egg, cream or cream cheese fillings or frostings</td>
<td>Yes</td>
<td>farmers’ markets, roadside stands, private homes and at functions</td>
</tr>
</tbody>
</table>

When these foods are processed in a licensed and inspected food establishment, they may then be sold to individuals and commercially.

7. Eggs
What are the requirements in order to sell farm/ranch eggs? Eggs that are produced on the farm/ranch may be sold without being licensed or inspected. They may be sold at farmers’ markets, roadside stands, private homes and in grocery stores. The eggs should be clean and must be kept under refrigeration. Egg cartons may be reused provided all labeling from the previous use is completely marked out. The carton must state that the eggs are ungraded, have the name and address of the producer, a packing date and state “keep refrigerated”. The reused cartons must be clean and in good condition. Cartons containing a USDA Grade Shield may not be reused. The ungraded eggs may not be sold to restaurants or institutions for use in those establishments.

In summary: Uninspected, unlicensed, ungraded eggs can be sold to retail outlets (grocery stores), but cannot be sold to restaurants and institutions (e.g., schools). Eggs can be sold at a retail outlet (grocery) in used cartons as long as they are appropriately marked (and have no additional misleading markings).

For an example of a FAQ document/questions, go to www.leopold.iastate.edu/resources/foodregs.html

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