



Wyoming Food Freedom by Rep. Sue Wallis – August 23, 2010

Long before the advent of mass production, multi-national corporations, protectionist unions, and overzealous bureaucrats, the Good Lord and Mother Nature created human beings dependent on food harvested from living plants and living animals. This is one of the most intrinsic facts of life without which we cannot survive. As living plant and animal tissue, everything we consume to sustain life, also carries with it the possibility of disease and decay. If our prehistoric ancestors had not figured out how to handle, prepare and store these foods safely, none of us would be alive today.

The United States has allegedly the safest food system in the world, and yet every day we hear about another horrific outbreak of foodborne disease...**almost always traced to some huge food processing plant**. We hear about underpaid, overworked assembly line, factory production, food industry workers neglecting to do essential steps, or making mistakes that cost lives.

Many people have decided to take back control of what they put in their mouths and feed their families. They have decided that it is far safer, and indeed far more satisfying and healthy, to buy food that they know exactly where it came from, how it was raised and by whom-exactly what the animals were fed, and how they were treated-exactly how the soil was prepared, and what if any unnatural substances were applied on or around the plants-how it was harvested and prepared. They abide by the ancient adage that **it is best to shake the hand that feeds you**. Many are truly enthusiastic about participating in and enhancing a thriving local agriculture economy.

That is what the Wyoming Food Freedom bill is about. It is about our basic right to choose what we eat, from whom we can purchase our food, and how it is produced. It is about our basic right to gather as friends and neighbors and share the bounty of our pastures, our fields, our gardens, and our kitchens without interference.

There is a proper role for government food safety inspectors in those establishments that provide commercial and retail food-restaurants, grocery stores, processing facilities both large and small if the product is going to be sold wholesale, any place where food passes through multiple hands before it reaches the end consumer. **But they have absolutely no business interfering in the private transactions between a single willing seller, and a single willing buyer, who consumes the food in their private home.**

Here in Wyoming, we pride ourselves on the idea that we are what America was...the land of freedom and opportunity where government does only what government should do, and citizens are rugged individuals unfettered by over-regulation or over-taxation, and unburdened by the nanny-state intrusion so evident in other parts of the country. Nothing could be further from the truth, especially when it comes to Wyoming's agriculture and food-safety laws and regulations.

In 2000, the Wyoming Legislature slaughtered (pun intended) the existing meat and milk statutes in Wyoming law, and adopted the federal "Food Rule." Among many unintended consequences of this action is the ludicrous situation where **the Food Rule is so broad that it includes private home kitchens as being subject to state regulation, and food prepared in a home kitchen is technically illegal to consume**. This has been pointed out by Dr. Joseph R. Geraud, Professor of Law (emeritus) in a paper he wrote addressing Wyoming Food Safety Laws and Regulations.

A literal interpretation of statutory definitions as applied in the interpretation of the Food Safety Rule results in the conclusion home kitchens are included. While such a conclusion



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may be deemed absurd, it is sustainable based upon the words utilized. More absurd is the fact that literal application of the statutory definition of "establishment" prohibits eating such food in the home in which prepared.

When you consider the idea that in Wyoming it is illegal to consume food made in your own kitchen, maybe it doesn't seem so far out to grasp the fact that it is currently illegal to buy fresh, whole milk from your neighbor, or even drive to purchase it in one of the surrounding states and serve it to your family? Maybe it doesn't seem so crazy that someone who owns a cow or a pig can butcher it themselves, or take it to the local custom meat processor and have it cut up for their own use-this is perfectly safe-but the minute you might sell a tube of hamburger to anyone else-that is absolutely illegal and unsafe? What? If the meat is safe for the person who owns the animal, why is it not safe for someone else? If all home butchered or custom meat is unsafe, why doesn't Wyoming law prohibit us from eating animals we own?

The point is that these laws and regulations have absolutely nothing to do with food safety, and everything to do with protecting big business from competition from local producers.

The Wyoming food safety laws, adopting all of the federal requirements in their ridiculous and over-reaching scope, are specifically designed to prevent Wyoming food dollars from being spent in Wyoming to benefit Wyoming families and Wyoming agriculture. The end result, something in the neighborhood of 97% of Wyoming's rich agricultural bounty pours over our state borders and fills the treasuries of gigantic corporate interests, forming the tax base for other states.

Since Colorado passed legislation that allows their citizens the right to seek out and enjoy the healthy benefits of real milk, they have gone from 1 to 50 raw milk dairies in just a couple of years. These dairies can't keep up with the demand. Conservative estimates are that there are at least 300 to 400 Wyoming families driving great distances, paying high prices, and breaking the law to obtain a product they believe is far safer, more wholesome, and possessing great benefits especially for those with gastro-intestinal problems, allergies, asthma, and just because it tastes great.

If all we manage to do with efforts like the Wyoming Food Freedom bill is make it possible for Wyoming families (somewhere around 200,000 households in Wyoming) to spend just \$20 per week of their grocery dollars on locally grown food, **we would enrich our own economy by more than \$200 million direct dollars per year**, which economic studies have shown will turn over at least 3 or 4 times in the economies of our cities, towns, and counties **producing up to a billion dollars that stay in Wyoming!**

It is time to get government out of the way, **allow our citizens to enjoy their God-given right to eat what they choose**, let our agriculture families thrive, and our culinary/nutritional choice and opportunity flourish.

To learn more and become involved, please visit www.WyomingFoodFreedom.org or join the conversation on [Facebook](#).

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*This article is intended for educational and informational purposes only and is not intended to be nor should it be construed as either a legal opinion or as legal advice.*



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### About the Author:

**Sue Wallis** is a rancher/writer as well as nonprofit administrator from north of Recluse, Wyoming who founded the [Cowboy State Free Press](http://www.thewyoneews.net), a nonprofit online news service at [www.thewyoneews.net](http://www.thewyoneews.net).

Sue currently serves in the Wyoming House of Representatives. She was first elected by the 52nd District (Campbell County) in 2006.

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### HYPERLINKS for PDF version:

**Wyoming Food Freedom bill** – links to excerpt from website, [www.wyomingfoodfreedom.org](http://www.wyomingfoodfreedom.org) = <http://www.ftcldf.org/wyoming-food-freedom-wallis.htm#wyofoodbill>

**Dr. Joseph R. Geraud** - links to excerpt from "What's Government's Role in Food Safety?", *Casper Star Tribune* online ([www.Trib.com](http://www.Trib.com)), 28 February 2010; posted at [http://trib.com/news/opinion/forums/article\\_5f5d04cc-cb97-5891-8dc4-bdf65c5d944a.html](http://trib.com/news/opinion/forums/article_5f5d04cc-cb97-5891-8dc4-bdf65c5d944a.html) = <http://www.ftcldf.org/wyoming-food-freedom-wallis.htm#geraud>

**Facebook** – Facebook wall for "Wyoming Food Freedom" = <http://www.facebook.com/#!/pages/Wyoming-Food-Freedom/106807539354306?ref=ts>