

Wyoming State Laws Affected by H.R. 4879

- I. Food
 - a. Food Safety
 - i. Date Label Laws
 - 1. These laws require and regulate “sell-by” date labels on food items. They are intended to promote both food quality and safety.
 - 2. Wyo. Admin. Code § AGR FSF Ch. 3 s 11
 - ii. Date Packaged, Produced, or Harvested
 - 1. These laws require manufacturers to indicate on items the date on which they were harvested, produced, or otherwise packaged and processed. They are intended to inform consumers as to freshness and quality.
 - 2. Wyo. Admin. Code § AGR FSF Ch. 3 s 11
 - b. Shellfish
 - i. Date Labels
 - 1. These laws require shellfish containers be marked with a “sell-by,” “best if used by,” or “date shucked” label to indicate to consumers when the product was packaged or the date by which it should be consumed.
 - 2. Wyo. Admin. Code § AGR FSF Ch. 3 s 11
 - ii. Sourcing Requirements
 - 1. These regulations impose requirements on the sourcing of shellfish. Most often, they stipulate that molluscan shellfish received into the state through interstate commerce must be from sources approved by the Interstate Certified Shellfish Shippers List.
 - 2. WY Rules and Regulations AGR FSF Ch. 3 s 10
 - c. Mushrooms
 - i. Sale of Wild Mushrooms
 - 1. These regulations impose identification requirements on the sale of mushrooms harvested from the wild. Often, they mandate that wild mushrooms must be positively identified by a mushroom identification expert in order to be sold for human consumption in order to protect the public from accidental poisoning caused by the ingestion of toxic mushrooms.
 - 2. WY Rules and Regulations AGR FSF Ch. 3 s3
 - ii. Wild Mushroom Processing and Licensing
 - 1. These laws allow retail food establishments to sell mushrooms picked in the wild subject to certain conditions. Frequently, they require that mushrooms sold in the state be properly processed by a licensed processing plant in order to ensure they are safe for human consumption.
 - 2. WY Rules and Regulations AGR FSF Ch. 3 s3

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- II. Alcohol
 - a. None
- III. Drugs
 - a. Tobacco
 - i. Fire Safety Standards
 - 1. These state laws require that any cigarettes offered for sale or sold in the state be tested in accordance with specific test methods and meet certain flammability standards. They are intended to reduce the risk of unintended fires caused by discarded cigarettes.
 - 2. Wyo. Stat. Ann. § 35-9-803
- IV. Fishing
 - a. None
- V. Wood and Lumber
 - a. None
- VI. Home Goods and Products
 - a. None
- VII. Live Animal Imports
 - a. Aquaculture
 - i. Aquaculture Import and Disease Reporting
 - 1. Many states require reporting of various communicable diseases found in fish farms. Additionally, many states require permits and/or health testing for importation of fish to fish farms.
 - 2. WY Rules and Regulations GAME POSS Ch. 10 s 3
 - ii. Viral Hemorrhagic Septicemia
 - 1. These laws impose import requirements or other restrictions on certain species of fish in order to prevent the spread of viral hemorrhagic septicemia, a disease that causes internal bleeding and death among infected animals. Previously, the federal government regulated this disease; however, on April 14, 2014 federal restrictions were removed with the thought that existing state-level regulation was effective and sufficient to limit spread of the disease.
 - 2. WY Rules and Regs. GAME POSS Ch. 10, s 3
 - b. Birds
 - i. Avian Influenza and Newcastle Disease
 - 1. Highly Pathogenic Avian Influenza is a contagious virus most often spread by contact between infected and healthy birds (including wild birds). Humans also can contract this disease. The 2014-15 avian influenza outbreak required the destruction of 50 million birds costing the industry \$3.3 billion in losses. Similarly, Newcastle disease is a contagious viral bird disease affecting the poultry industry and wild avians that is transmissible to humans. States have imposed laws requiring testing, reporting, and

regulating imports of poultry to control these diseases, that work in conjunction with federal restrictions.

2. WY Rules and Regulations LSTK GEN Ch. 8 s 19

c. Cattle and Bison

i. Anthrax

1. Anthrax is an infectious bacterial disease often found in cattle and sheep that causes sudden death and is transmissible to humans. Most often, it is spread through exposure to the spores formed during the decay of deceased animals. Federal regulation prohibits the interstate movement of animals affected by anthrax. However, states impose further restrictions on the importation of animals that have been or may have been exposed to the disease.

2. WY Rules and Regulations LSTK GEN Ch. 8 s 7

3. WY Rules and Regulations LSTK GEN Ch. 8 s 8

4. <https://wlsb.state.wy.us/editable-page/animal-health/downloadFile?filename=Reportable%20DZ%20Book1.pdf>

ii. Brucellosis

1. Brucellosis is a contagious and costly disease typically affecting cattle, bison, cervids (elk and deer), and swine that also affects humans. It is a bacterial infection that spreads from animals to people most often through ingestion of unpasteurized milk, cheese, and other dairy products. All 50 states participate in a voluntary program with the federal government to control brucellosis in cattle, and many states impose additional regulations requiring testing, reporting, and regulating of imports.

2. WY Rules and Regulations LSTK GEN Ch. 2 s 4

iii. Bovine Tuberculosis

1. In the early 19th century, bovine tuberculosis caused more deaths of cattle than all other diseases combined. It is a chronic bacterial disease of cows that can spread to humans, typically by the inhalation of aerosols or the ingestion of unpasteurized milk. All 50 states participate in a voluntary program administered in conjunction with the federal government requiring testing, quarantine, and destruction of diseased animals. In addition many states have enacted special legislation addressing the importation of cattle into the state.

2. WY Rules and Regulations GAME POSS Ch. 10, s App. II

iv. Johne's Disease

1. Johne's disease is a contagious, chronic, and usually fatal infection that affects the small intestine of ruminants, such as cows. It is widespread in the dairy industry, causing roughly \$200–250 million in annual losses. Federal regulation prohibits the interstate movement of animals that have tested positive, but does not impose a testing requirement. Some states have enacted

additional requirements for mandating testing prior to importation or otherwise further restricting import.

2. WY Rules and Regulations GAME POSS Ch. 10, s App. II

v. Rabies

1. Rabies can occur in all warm-blooded animals and is always fatal if not treated promptly after exposure. All forms of livestock and companion animals are at risk for contracting the disease. Transmission often occurs through a bite from a rabid animal and as such the disease can travel between wild and domestic species. These laws prohibit the importation of animals exposed to rabies or impose additional restrictions to prevent the spread of this disease.
2. WY Rules and Regulations LSTK GEN Ch. 8 s 7
3. WY Rules and Regulations LSTK GEN Ch. 8 s 8

d. Cervids

i. Chronic Wasting Disease (“CWD”): Restrictions

1. These laws impose import restrictions and other requirements to ensure that cervids entering the state are not carriers of chronic wasting disease. Some regulations require that only cervids that have been enrolled in a voluntary CWD Herd Certification Program and have undergone testing for the disease may enter the state. These laws are intended to protect local deer producers and wild deer populations.
2. WY Rules and Regs. GAME POSS Ch. 10 s App. II
3. WY Rules and Regs. GAME HUNT Ch. 2 s 15

e. Bees

i. Import Requirements and Health Certifications

1. These laws impose certification, permitting, or registration requirements prior to the movement of bees into the state. They are intended to ensure the health of bee colonies prior to import in order to protect the health of local bee populations and prevent the spread of disease.
2. W.S.1977 § 11-7-302
3. W.S.1977 § 11-7-404

f. Horses

i. Equine Infectious Anemia

1. Equine Infectious Anemia (“EIA” or “Swamp Fever”) is a viral disease that is extremely contagious, spread through fly bites, and leads to severe, chronic disease or death. Federal regulations restrict the interstate movement of horses once they test positive for EIA but impose no testing requirement. States regulate the importation of horses, often requiring a negative EIA test prior to import.
2. WY Rules and Regulations LSTK GEN Ch. 8 s 18

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g. Sheep and Goats

i. Scrapie

1. Scrapie is a fatal, degenerative disease that affects the nervous systems of infected sheep and goats. It is one of several transmissible spongiform encephalopathies (“TSEs”)—which are related to bovine spongiform encephalopathy (“BSE” or “mad cow disease”) and chronic wasting disease in deer. Some states participate in the voluntary National Scrapie Eradication Program to test and destroy animals that test positive for scrapie. In addition, many states require negative testing or certification prior to importation.
2. WY Rules and Regs. LSTK GEN Ch. 8 s 20

h. Swine

i. Pseudorabies

1. Pseudorabies is an infectious, herpes-virus disease of the central nervous system that causes convulsions, intense itching, and is generally fatal. Some states participate in the voluntary Pseudorabies Eradication State-Federal-Industry Program which includes surveillance, herd certification, and herd cleanup once an animal tests positive. Additionally, many states require testing or certification prior to import.
2. WY Rules & Regs. GAME POSS Ch. 10 s App. II

ii. Swine Vesicular Disease

1. Swine vesicular disease causes lesions on the feet, snout, and mouth of swine, and is economically costly because it must be distinguished from foot-and-mouth disease. These laws restrict the importation of pigs to prevent the spread of swine vesicular disease.
2. WY Rules and Regulations LSTK GEN Ch. 8 s 7
3. WY Rules and Regulations LSTK GEN Ch. 8 s 8
4. <https://wlsb.state.wy.us/editable-page/animal-health/downloadFile?filename=Reportable%20DZ%20Book1.pdf>

i. Exotic Meats

i. Ostrich and Other Ratites

1. These regulations require that ostrich and other ratites be accompanied by a certification of veterinary inspection prior to import. They are intended to protect local ostrich farming operations and ensure that ostrich meat and other products are healthy and free from disease.
2. WY Rules and Regulations LSTK GEN Ch. 8 s 17

ii. Emu

1. These state regulations require health certification for emus imported into the state. They are intended to protect local emu

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- farmers and ensure that incoming birds are healthy and free of disease.
 - 2. WY Rules and Regulations LSTK GEN Ch. 8 s 17
 - iii. Bison
 - 1. These regulations require that bison imported into the state be accompanied by a permit or veterinarian certification. They are intended to prevent the spread of zoonotic and infectious diseases, some of which may be transmissible to other species.
 - 2. WY Rules and Regulations LSTK GEN Ch. 8 s 14
- VIII. Companion Animals
 - a. None
- IX. Products for Animals
 - a. Pet Food
 - i. Requirements of Manufacturers
 - 1. These laws impose licensing requirements on pet food manufacturers who wish to sell products within the state.
 - 2. Wyo. Stat. Ann. § 11-13-105
 - b. Commercial Feed
 - i. Labeling of Commercial Feed
 - 1. These regulations impose labeling requirements for manufacturers who sell commercial feed products for use by livestock within the state. Often they dictate how labels should appear and what information they must contain.
 - 2. W.S.1977 § 11-13-103
 - c. Prohibited Foods
 - i. Feed Garbage to Swine
 - 1. Swine Health Protection Act (“SHPA”) requires that meat and animal-byproduct-containing food scraps are heat treated before being fed to swine. However, states can impose additional regulations including more stringent heat treatments, conditions on vegetable food scraps, regulations on what can be feed to owner’s own swine, import regulations, etc. For the purposes of this discussion, only regulations addressing restrictions on the importation of garbage-fed swine are relevant.
 - 2. WY Rules and Regs. LSTK GEN Ch. 8 § 21
- X. Dead Animals and Animal Parts
 - a. None
- XI. Invasive Pests, Plants, and Disease
 - a. None
- XII. Procurement
 - a. Agricultural Goods
 - 1. These laws regulate government bid and solicitation preferences for products or services. Often they impose preferences for in-state producers of agricultural products.

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2. W.S.1977 § 16-6-104

3. W.S.1977 § 16-6-105

XIII. General Prohibitions

a. None

XIV. Miscellaneous

a. None