

Chapter 218

Enrolled Act No. <sup>65</sup>\_\_\_\_\_, Senate

Fortieth Session of the \_\_\_\_\_ STATE LEGISLATURE OF  
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AN ACT providing for the regulation, control, inspection, labeling and disposition of animals, carcasses, meat, meat food products and meat by-products which are to be sold or offered for sale through commercial outlets for human consumption in the state; providing for, the licensing and sanitary inspection of commercial slaughterers, custom slaughterers, big game processing plants and processors located in the state; authorizing cooperation with federal agencies; providing for enforcement, exceptions and penalties; and repealing Subsection 17 of Section 35-25, Wyoming Statutes 1957, and Sections 35-317 through and including 35-333, Wyoming Statutes 1957, relating to the regulation of meat and meat products; and setting an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WYOMING:

Section 1. This act shall be known as the "Wyoming Wholesome Meat Act of 1969".

Section 2. As used in this act, the following terms shall have the following meanings, except where the context clearly indicates another meaning is intended:

(a) "Department" means the state department of agriculture.

(b) "Commissioner" means the commissioner of agriculture of the State of Wyoming and/or his duly authorized representatives.

(c) "Person" means any individual, partnership, corporation, association, or other entity.

(d) "Contract veterinarian" means a graduate of a school of veterinary medicine accredited by the American Veterinary Medical Association who provides services for the department under contract, and who is licensed to practice veterinary medicine in the State of Wyoming.



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(e) "Veterinary supervisor" means a graduate of a school of veterinary medicine accredited by the American Veterinary Medical Association, and employed by the department to inspect and supervise the inspection of animals, carcasses, meat, meat food products or meat by-products.

(f) "Meat inspector" means an individual employed by the department to inspect animals, carcasses, meat, meat food products or meat by-products under the supervision of a veterinary supervisor.

(g) "State inspection" means inspection services conducted by the department at or in connection with establishments required to be licensed by this act.

(h) "Wyoming condemned", or abbreviation thereof, means the animal so marked has been inspected and found to be in a dying condition, or to be affected with any other condition or disease that would require condemnation of its carcass.

(i) "Wyoming inspected and condemned", or abbreviation thereof, means that the carcass, meat, meat food product or meat by-product, so marked or so identified, is unwholesome or adulterated and shall be disposed of in the manner prescribed by the commissioner.

(j) "Wyoming retained" means that the carcass, meat, meat food product or meat by-product so identified is held for further examination by a veterinary supervisor or contract veterinarian to determine its disposal.

(k) "Wyoming suspect" means that the animal so marked and identified is suspected of being affected with a disease or condition which may require its condemnation, in whole or in part, when slaughtered, and is subject to further examination by a contract veterinarian or veterinary supervisor to determine its disposal.

(l) "Wyoming inspected and passed", or abbreviation thereof, means that the carcass, meat, meat food product, or meat by-product, so marked or so identified, was at the time it was so marked or so identified found to be wholesome.

(m) "Country" when used in the name of a meat, meat food product or meat by-product means that such meat, meat food product or meat by-product was actually prepared on a farm.

(n) "Federal inspection" means the meat and poultry inspection services conducted or approved by the meat inspection division and the poultry inspection division of the United States Department of Agriculture.

(o) "Federal Meat Inspection Act" means the act of Congress approved March 4, 1907,



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as amended and extended and the imported meat provisions of subsections 306 (b) and (c) of \_\_\_\_\_  
the Tariff Act of 1930, as amended. \_\_\_\_\_

(p) "Federal Poultry Products Inspection Act" means the act of Congress approved \_\_\_\_\_  
August 28, 1957, as amended. \_\_\_\_\_

(q) "Inspection legend" means a mark or a statement on a carcass, meat, meat food \_\_\_\_\_  
product or meat by-product indicating the same has been inspected and passed in this state \_\_\_\_\_  
under the provisions of this act. \_\_\_\_\_

(r) "Meat label" means a display of written, printed or graphic matter on a container \_\_\_\_\_  
indicating the carcass, meat, meat food product or meat by-products contained therein have been \_\_\_\_\_  
inspected and passed in this state under the provisions of this act. \_\_\_\_\_

(s) "Official inspection mark" means any symbol prescribed by the commissioner for \_\_\_\_\_  
the purpose of identifying the inspection status of any article so inspected. \_\_\_\_\_

(t) "Establishment number" means an official number assigned by the commissioner to \_\_\_\_\_  
each establishment and included on the inspection legend and meat label to identify all inspected \_\_\_\_\_  
and passed carcasses, meat, meat food products and meat by-products handled in that establishment. \_\_\_\_\_

(u) "Shipping container or outside container" means the box, bag, barrel, crate, or \_\_\_\_\_  
other receptacle or covering enclosing any product packed in one or more immediate or true \_\_\_\_\_  
containers. \_\_\_\_\_

(v) "Animals" means any cattle, swine, sheep, goats, poultry and rabbits. \_\_\_\_\_

(w) "Game animals" means any big game animal, elk, deer, mountain sheep, wild goat, \_\_\_\_\_  
antelope, moose or bear. \_\_\_\_\_

(x) "Carcass" means all or any part of a slaughtered animal, including viscera, which \_\_\_\_\_  
is capable of being used for human consumption. \_\_\_\_\_

(y) "Meat" means the edible part of the muscle of animals, which is skeletal or \_\_\_\_\_  
which is found in the tongue, in the diaphragm, in the heart or in the esophagus, with or \_\_\_\_\_  
without the accompanying or overlying fat, and the portions of bone, skin, sinew nerve and blood \_\_\_\_\_  
vessels which normally accompany the muscle tissue and which are not separated from it in the \_\_\_\_\_  
process of dressing; it does not include the muscle found in the lips, snout or ears. \_\_\_\_\_

(z) "Meat food product" means any article of food for human consumption or any article \_\_\_\_\_  
which enters into the composition of food for human consumption, which is derived or prepared in \_\_\_\_\_  
whole or in part from any portion of any animal, except organo-therapeutic substances, meat \_\_\_\_\_



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juices, meat extract and the like which are only for medicinal purposes and are advertised only to the medical profession; any edible part of the carcass which has been manufactured, cured, smoked, processed or otherwise treated shall be considered a meat food product.

(aa) "Meat by-product" means any edible part of an animal other than meat or meat food products.

(bb) "Commercial meat slaughterer" means a person engaged in this state in the business of slaughtering or dressing animals for human consumption which are to be sold or offered for sale through a commercial outlet, and shall include a person who in addition to such commercial meat slaughtering also engages in the business of a custom meat slaughterer.

(cc) "Custom meat slaughterer" means a person engaged in this state in the business of slaughtering or dressing animals for human consumption, owned by another person exclusively for the use of such owner by him or members of his household and his non-paying guests and employees, which are not to be sold or offered for sale and shall include the boning or cutting up of carcasses of such animals and the grinding, chopping and mixing of the carcasses thereof.

(dd) "Slaughterhouse" shall include all buildings, structures, and facilities used in the slaughtering or dressing of animals for human consumption.

(ee) "Custom meat processor" means a person who engages in this state in the business of curing, salting, processing or other preparation of carcasses, meat, meat food products or meat by-products, owned by another person, for human consumption exclusively for use in the household of such owners by him or members of his household and his non-paying guests and employees provided, that, the meat, meat food products or meat by-products for human consumption are not for sale.

(ff) "Commercial meat processor" means a person who engages in this state in the business of packing or packaging carcasses, meat, meat food products or meat by-products for sale for human consumption or a person engaged in the business of curing, salting, processing or other preparation of carcasses, meat, meat food products or meat by-products for sale for human consumption.

(gg) "Processing plant" shall include but not be limited to all buildings, structures, chill rooms, aging rooms, processing rooms, sanitary facilities, other facilities, and utensils, used by or in connection with the operations of a processor.

(hh) "Establishment" means any building, plant, establishment, vehicle or structure,



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whether movable or stationary, where meat food animals or poultry or rabbits are killed or dressed, the meat or meat products of which are to be offered for sale for human consumption.

(ii) "Meat retail dealer" means any person who operates one or more commercial outlets and who purchases previously inspected meat or meat food products or meat by-products, or offers for sale thereat any carcasses, meat, meat food products or meat by-products for human consumption for resale in the traditional retail manner.

(jj) "Meat broker" means any person, firm or corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat or meat food products of cattle, sheep, swine, goats, horses, mules or other equines on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee.

(kk) "Custom slaughtered carcass or meat" means carcasses, meat, meat food products or meat by-products which were slaughtered, dressed or otherwise processed by a custom slaughterer.

(ll) "Wholesome" means sound, healthful, clean and otherwise fit for human consumption.

(mm) "Unwholesome" means any animal, carcass, meat, meat food product or meat by-product which:

(i) Is unsound, injurious to health, contains any biological residue not permitted under rules and regulations promulgated by the commissioner, or is otherwise unfit for human consumption.

(ii) Consists in whole or in part of any filthy, putrid or decomposed substance.

(iii) Was processed, prepared, packed or held under insanitary conditions so that the same may have become contaminated or may have become injurious to health.

(iv) Was produced in whole or in part from animals which died other than by slaughter.

(nn) "Adulterated" means any animal, carcass, meat, meat food product or meat by-product:

(i) which bears or contains any poisonous or deleterious substance, whether added or natural, that may render it injurious to health or unfit for human consumption;

(ii) concerning which a substance has been substituted, wholly or in part;

(iii) is damaged, or inferiority has been concealed in any manner;

(iv) concerning which any casing has been used which contains any dye or artificial coloring not authorized by rules and regulations promulgated by the commissioner;



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(v) from which a valuable constituent has been in whole or in part omitted or abstracted;

(vi) to or with which any substance has been added, mixed or packed for the purpose of increasing its bulk or weight, or so as to reduce its quality or strength, or to make it appear better or of greater value than it is, unless authorized by rules and regulations promulgated by the commissioner;

(vii) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to Section 409 of the Federal Food, Drug and Cosmetic Act;

(viii) any substance, including metabolites, remaining in the animal at time of slaughter or in any of its tissues after slaughter, as the result of treatment or exposure of the animal to a pesticide, metallic or other inorganic compound, hormone, hormone-like substance, growth promoter, antibiotic, anthelmintic, tranquilizer, or other therapeutic or prophylactic agent.

(oo) "Licensee" means any person licensed under the provisions of this act.

Section 3. (a) The state board of agriculture is hereby authorized and empowered to promulgate rules and regulations that will assist in carrying out the provisions of this act. The commissioner shall administer and enforce the provisions of this act and shall employ or contract with such persons as may be appropriate. Such rules and regulations shall be in harmony with the rules and regulations issued under the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act.

(b) The commissioner is hereby authorized and empowered to cooperate with the federal government and any agencies, departments and instrumentalities thereof, the State of Wyoming and any agencies, departments or political subdivisions thereof, and any other state or commonwealth and any agencies, departments or political subdivisions thereof, in order to carry out the effective administration of this act.

Section 4. (a) No commercial or custom meat slaughterer, or commercial or custom meat processor shall operate an establishment unless he shall first have obtained a license from the commissioner. Application for such license shall be made on forms prescribed by the commissioner and shall be accompanied by the fee required in this section. When such a person operates as a slaughterer and also operates as a processor, whether such operations are located on the same or different premises in this state, each such operation shall be licensed. When



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such a person operates two or more slaughterhouses not on the same premises in this state, or  
operates two or more processing plants not on the same premises in this state, a separate  
license shall be required for each such slaughterhouse and each such processing plant.

(b) Before issuing any license required by the provisions of this section, the  
commissioner shall inspect the applicant's establishment and if the commissioner is satisfied that  
the establishment is clean and sanitary, is properly equipped, and is in conformity with the  
provisions of this act, and he is further satisfied that the carcasses, meat, meat food  
products or meat by-products to be sold or offered for sale therefrom through commercial  
outlets will be wholesome and unadulterated, he shall issue the license. Each license shall  
specify the location of the establishment at which the licensee shall carry on his operations.  
The license shall also contain the establishment number assigned by the commissioner.

(c) When a licensee changes the location of his establishment, he shall not operate  
at such new location unless and until his establishment at such new location has been inspected  
by the commissioner and a new license has been issued in accordance with the provisions of  
subsection (a) of this section.

(d) All licenses expire May 31st of each year and the license fee shall be deposited  
with the state treasurer and credited to the department of agriculture fund and the fees are  
as follows:

- (i) Commercial Meat Slaughterer - Twenty-five Dollars (\$25.00)
- (ii) Custom Meat Slaughterer - Ten Dollars (\$10.00)
- (iii) Custom Meat Processor - Ten Dollars (\$10.00)
- (iv) Commercial Meat Processor - Twenty-five Dollars (\$25.00)
- (v) Meat Retail Dealer - Ten Dollars (\$10.00)

(e) The commissioner may refuse to grant a license or may suspend or revoke a license  
issued under the provisions of this section whenever he finds that the applicant's or licensee's  
establishment, as the case may be, is not clean or sanitary, or is not properly equipped, or  
is not in conformity with the provisions of this article or if he finds that the carcasses,  
meat, meat food products or meat by-products to be sold or offered for sale therefrom through  
commercial outlets are or will be unwholesome or adulterated.

(f) Upon the refusal to grant a license, the commissioner shall furnish a written  
statement to the applicant specifying the grounds for such refusal. No such revocation or



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suspension of a license shall be effective until the licensee has received written notice thereof, which notice shall specify the grounds for such revocation or suspension. Whenever there is sufficient cause for the revocation or suspension of a license as hereinabove specified, the commissioner may in lieu of such revocation or suspension, suspend inspection at the establishment. Immediately upon suspension of such inspections, the commissioner shall give the licensee written notice thereof, and such notice shall contain a recitation of the deficiencies which must be fully and completely corrected before inspections shall be resumed. Upon receipt of a written statement advising that a license has been refused, or upon receipt of a written notice of the revocation or suspension of a license, or upon the suspension of inspections at the licensee's establishment, the applicant or licensee, as the case may be, may, in writing, demand a hearing. The commissioner shall hold such a hearing within ten (10) days after receipt of such written demand, in accordance with the provisions of Section 7 of this act.

Section 5. (a) The commissioner may at any time enter upon and inspect any establishment, place, premises or conveyance, either private or public, where animals are slaughtered or carcasses, meat, meat food products or meat by-products are processed, handled, stored, transported, distributed, sold or offered for sale, for the purpose of examining such animals, carcasses, meat, meat food products or meat by-products. Any person engaged in the business of operating an establishment shall maintain such records as the commissioner may require directly pertaining to the movement, storage and distribution or other disposition of animals, carcasses, meat, meat food products or meat by-products, and such records shall be open to inspection by the commissioner at any time during the normal working hours at such establishment.

(b) All animals slaughtered for sale shall have ante-mortem inspection and post-mortem inspection.

(c) All inspections under the provisions of this act shall be performed in accordance with rules and regulations promulgated by the state board of agriculture.

(d) The commissioner shall inspect all establishments to determine that they are operating in accordance with the provisions of this act and all rules and regulations promulgated by the state board of agriculture in compliance with the minimum standards of the Federal Meat & Poultry Act.

(e) When one inspector is assigned to make inspections at two or more establishments.



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where few animals are slaughtered, or where small quantities of carcasses, meat, meat food products or meat by-products are handled, or where the operations at such establishments are sporadic, and such establishments in any of such cases are in reasonably close proximity to one another, the commissioner, giving full consideration to the convenience of the licensees of such establishments, may by written notice to such licensees specify a reasonable schedule for such operations; provided, that the commissioner may not require operations other than during normal working hours.

(f) Every conveyance used by any establishment under state inspection, and notwithstanding the provisions of subsection (a) of Section 6 of this act, every conveyance used by any slaughterhouse or processing plant operating under federal inspection or approved by the United States Department of Agriculture, for the transportation of carcasses, meat, meat food products or meat by-products shall be maintained in a clean and sanitary condition and may be inspected in accordance with the provisions of this act and rules and regulations promulgated by the state board of agriculture.

(g) The commissioner shall require such quarantine and segregation of animals, carcasses, meat, meat food products and meat by-products in establishments as is deemed necessary to effectuate the provisions of this act.

(h) The head, tongue, tail, thymus glands, viscera, blood and other parts of any slaughtered animal shall be retained in such a manner as to preserve their identity until after the post-mortem inspection has been completed.

(i) The meat label used by any licensee shall be of the form and size prescribed by rules and regulations promulgated by the state board of agriculture. Such devices and meat labels shall be under the control and supervision of the commissioner.

(j) Each carcass that has been inspected and passed in this state by the commissioner shall be marked at the time of inspection with the inspection legend "Wyoming Inspected and Passed". Any carcass which is not passed shall be marked conspicuously by the commissioner at the time of inspection in the following manner: "Wyoming Inspected and Condemned", or any abbreviation thereof

(k) Each primal part of a carcass that has been inspected and passed shall be marked with the inspection legend, and each liver, beef heart and beef tongue that has been inspected and passed shall be branded with the inspection legend at the time of final inspection.



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Meat that has been boned out, cut from primal parts or otherwise changed so that the inspection legend is no longer plainly visible, and meat food products and meat by-products that are too small to be marked with the inspection legend shall be packed in closed containers to which shall be affixed the meat label indicating that the meat, meat food products or meat by-products contained therein have been inspected and passed. Upon removal of the contents of the containers bearing such label, the label shall be defaced to prevent its reuse.

(1) All carcasses, meat, meat food products and meat by-products which have been derived from an animal slaughtered by a custom meat slaughterer shall be marked "Wyoming Custom Slaughtered" in letters not less than three-eighths of an inch in height.

(m) Each official inspection mark shall contain the establishment number of the establishment involved, unless otherwise authorized by rules and regulations promulgated by the state board of agriculture.

(n) The commissioner is hereby authorized and empowered to seize and destroy any of the following:

(i) Any animal to be slaughtered in this state and thereafter sold or offered for sale, through a commercial outlet, which cannot be made fit for human consumption.

(ii) Any animal, carcass, meat, meat food product or meat by-product slaughtered or processed in this state in violation of the provisions of this act.

(iii) Any carcass, meat, meat food product or meat by-product that does not bear an inspection legend or meat label provided for by this act or which has not been inspected and passed under federal inspection or approved by the United States department of agriculture and which is intended to be sold or offered for sale through a commercial outlet.

(iv) Any animal, carcass, meat, meat food product or meat by-product which is unwholesome or adulterated. Where appropriate, the commissioner may in lieu of destruction as aforesaid, denature, decharacterize, mutilate or slash any carcass, meat, meat food product or meat by-product intended to be sold or offered for sale through a commercial outlet. The commissioner is also authorized and empowered to seize and retain under a retained tag any animal, carcass, meat, meat food product or meat by-product until it is determined to destroy, denature, decharacterize, mutilate, slash or release the same. Whenever the commissioner is authorized or empowered to take any of the actions specified in this subsection, he may order and direct the person having custody or possession of such animal, carcass, meat, meat food product or meat



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by-product, or the licensee of the establishment in which it is found, to be responsible for the disposition thereof, as well as any necessary storage, handling or other incidentals related thereto. Such disposition shall be carried out only under the direction and supervision of the commissioner.

(o) Whenever practicable, the commissioner shall forego the actions authorized in the immediate preceding subsection and permit reprocessing if such reprocessing will correct or eliminate the conditions which would have justified any of such actions. Any such reprocessing in this state shall be under the supervision of the commissioner.

(p) Whenever the commissioner has good cause to believe that any carcass, meat, meat food product or meat by-product, whether fresh, frozen, cured or otherwise prepared, and which is intended to be sold or offered for sale through a commercial outlet, may be unwholesome or adulterated or otherwise injurious to health, he may inspect or reinspect the same under the provisions of this act even though such carcass, meat, meat food products or meat by-products may have been previously inspected and passed.

(q) No licensee shall employ in any establishment any person who has any communicable disease or infected wound or who is a carrier of any communicable disease. To enforce the provisions of this subsection, the commissioner may require any employee or prospective employee to submit to a health examination by a physician and furnish to the commissioner a certificate from such physician concerning his findings. The cost of conducting such examination and furnishing such certificate shall be borne by the licensee concerned.

(r) Whenever the commissioner inspects any room, compartment, equipment or utensil in any establishment subject to state inspection and finds the same not to be clean and sanitary or finds the same to be otherwise unsuitable for the slaughtering or processing operations carried on in such establishment, he shall affix thereto a rejection tag or rejection notice. No such rejected room, compartment, equipment or utensil shall be used until the deficiencies requiring such rejection shall have been fully and completely corrected. No person other than the commissioner shall remove any such rejection tag or notice.

(s) When any animal, carcass, meat, meat food product or meat by-product has been inspected hereunder, the appropriate official inspection mark shall be affixed thereto, and no person shall remove the same unless authorized to do so by the commissioner.

Section 6. (a) The provisions of this act shall not apply to any slaughterhouse or processing plant operating under the Federal Meat Inspection Act or the Federal Poultry Products



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Inspection Act.

(b) For the purpose of this subsection, a farmer is a person who owns or operates a \_\_\_\_\_ farm or farms in this state and does not engage, directly or indirectly, in the business of \_\_\_\_\_ buying or selling any animals, other than a part of his normal farming operations, and does not engage in any business that involves the slaughtering of any animals other than those owned by \_\_\_\_\_ him, or the buying or selling of any carcasses, meat, meat food products or meat by-products of \_\_\_\_\_ any animal other than those owned by him. Without being licensed under the provisions of this \_\_\_\_\_ act, a farmer may slaughter or cause to be slaughtered his own animals for his own consumption \_\_\_\_\_ on his own premises, on the premises of another person or in the establishment of a licensed \_\_\_\_\_ custom slaughterer. \_\_\_\_\_

Section 7. (a) No big game custom meat processor shall operate an establishment \_\_\_\_\_ unless he shall first obtain a license from the commissioner. \_\_\_\_\_

(b) Before issuing a license required by the provisions of Section 4, the commissioner \_\_\_\_\_ shall inspect the applicant's establishment and if the commissioner is satisfied that the \_\_\_\_\_ establishment is clean and sanitary, he shall issue a license. Each license shall specify the \_\_\_\_\_ location of the establishment at which the licensee shall carry on his business. \_\_\_\_\_

(c) All licenses expire May 31st of each year and the license fees shall be deposited \_\_\_\_\_ with the state treasurer and credited to the department of agriculture fund as follows: Custom \_\_\_\_\_ Meat Processor - Ten Dollars (\$10.00). \_\_\_\_\_

(d) The commissioner may refuse to grant a license or may suspend a license or revoke \_\_\_\_\_ a license issued under the provisions of this section whenever he finds that the applicant's \_\_\_\_\_ or licensee's establishment, as the case may be, is not clean or sanitary. \_\_\_\_\_

(e) Except as herein provided, game animals shall be exempt from the provisions of \_\_\_\_\_ this act. \_\_\_\_\_

Section 8. (a) When any person requests a hearing as provided for in this act, the \_\_\_\_\_ commissioner shall convene such hearing as provided by law in the Wyoming Administrative \_\_\_\_\_ Procedure Act. \_\_\_\_\_

(b) Any party adversely affected by a final order made and entered by the commissioner \_\_\_\_\_ after such hearing, held in accordance with the provisions of this section, is entitled to \_\_\_\_\_ judicial review thereof by appeal to the district court having jurisdiction. \_\_\_\_\_

Section 9. Any person who shall violate any of the provisions of this act shall be \_\_\_\_\_ guilty of a misdemeanor and upon conviction thereof, shall for the first offense be fined not \_\_\_\_\_



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less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) and upon conviction—  
of each subsequent offense shall be fined not less than One Hundred Dollars (\$100.00) nor more—  
than Five Hundred Hundred Dollars (\$500.00)\_\_\_\_\_

Section 10. That Subsection 17 of Section 35-25, Wyoming Statutes 1957, and Sections—  
35-317 through and including 35-333, Wyoming Statutes 1957, are hereby repealed.

Section 11. This act shall be in effect on and after April 1, 1969.

*Veda Janner*  
Speaker of the House

*Earl Christensen*  
President of the Senate





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For the Session of the  
STATE LEGISLATURE OF

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I hereby certify that this act originated in the Senate

Alton E. Warner Jr.  
Chief Clerk

I certify this act to be correctly enrolled.

Mr. E. Stone  
Senate Attorney