



The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

Temporary Food Permit Guidance:

A temporary establishment is an establishment that operates for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration. A temporary sampling establishment means an establishment that operates for a period of no more than fourteen (14) individual days within three (3) consecutive months in conjunction with farmers' markets or other events held at a single location.

Examples include:

- A food booth at a fair or festival
- A catering kitchen
- A restaurant preparing food offsite
- A rental hall
- A private organization serving food to the public

Under Wyoming Statute § 35-7-124(a), "any person processing, distributing, storing or preparing any food for sale shall obtain a license from the department of agriculture or a local health department [and] no food establishment shall serve, hold for sale or sell food to the public without a valid license." Under Wyoming Statute § 35-7-110(a)(xiii)(C), alcoholic beverages "subject to the Federal Alcohol Administration Act" are considered "food." Under Wyoming Statute § 35-7-110(a)(xi), an "establishment" includes "any place or any area of any establishment in which foods are displayed for sale."

The fee for a temporary establishment license or temporary sampling license is \$25.00 unless the permit is for a non-profit then the fee is waived. The permit can be obtained from your the regulatory authority or local health inspector. For a complete listing of the regulatory authority in your area or local inspector by county please visit <http://agriculture.wy.gov/divisions/chs/contacts>.

All temporary food establishments must comply with the following list of requirements outlined in the "Temporary Establishment Requirements" found here:

<http://agriculture.wy.gov/images/stories/pdf/chs/tempfood.pdf>

Frequently Asked Questions:

Q: Do I need a temporary license for an event that is not on the premise of my current business if I already have a food license?

A: Yes, a facility license is only good for the physical facility and the attached property under the control of the license holder.

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Q: Do I need a temporary license to sell can soda, bottled water, or alcohol for an event?

A: Yes, selling any food or drink that does not meet the requirements of food freedom or traditional food would require a temporary permit. Additional licenses for the sale of alcohol are required.

Q: What constitutes as an event?

A: An event would be a community-based including state and county fairs, city festivals, circuses, and other public gatherings. An event is not a single establishment deciding to sell food off-premise from an establishment to make more money or an unlicensed facility providing food service.

Q. Can you do a bake sale without a permit?

A. According to the Wyoming Food Freedom Act, a bake sale may not require a permit. Stipulations can be found here: <https://wyagric.state.wy.us/images/stories/pdf/chs/foodfreedom2017.pdf>

Q. Can you make food at home and sell it?

A. According to the Wyoming Food Freedom Act, there are some foods allowed to be sold without a permit. Stipulations can be found here: <https://wyagric.state.wy.us/images/stories/pdf/chs/foodfreedom2017.pdf>

Q. My food is prepackaged; do I still need a permit?

A. Yes, all food sold to the public requires a permit.

Q. Is a permit needed if I am only selling whole uncut produce?

A. No permit is required to sell whole, uncut produce such as tomatoes, melons, and various other fruits and vegetables. A permit is required if the food is to be cut or manipulated in any way.

Q. I am not selling any food or drink, but I will be giving away samples. Do I need a permit?

A. Yes, a permit is required to give food or drink to the public.

Q. My food stand is only to raise money for our club; do I still need a permit?

A. Yes, a permit is usually required for all food vendors. The potential risk attached to handling and selling food is the same, no matter where the proceeds go.

Q. Will an inspector come to look at my food stand?

A. An inspector will visit all food stands - usually early in the event, to make sure that food is being handled safely. However, booth operators are expected to follow the law at all times.