716.7A Food operation trespass.

1. As used in this section, unless the context otherwise requires:
   a. “Apiary” and “bee” mean the same as defined in section 160.1A.
   b. “Food animal” means an animal belonging to the bovine, caprine, ovine, or porcine species; farm deer as defined in section 170.1; turkeys, chickens, or other poultry; fish or other aquatic organisms confined in private waters for human consumption; or bees.
   c. “Food establishment”, “food processing plant”, and “farmers market” mean the same as defined in section 137F.1.
   d. (1) “Food operation” means any of the following:
      a) A location where a food animal is produced, maintained, or otherwise housed or kept, or processed in any manner.
      b) A location other than as described in subparagraph division (a) where a food animal is kept, including an apiary, livestock market, vehicle or trailer attached to a vehicle, fair, exhibition, or a business operated by a person licensed to practice veterinary medicine pursuant to chapter 169.
      c) A location where a meat food product, poultry product, milk or milk product, eggs or an egg product, aquatic product, or honey is prepared for human consumption, including a food processing plant, a slaughtering establishment operating under the provisions of 21 U.S.C. §451 et seq. or 21 U.S.C. §601 et seq.; or a slaughtering establishment subject to state inspection as provided in chapter 189A.
      d) (2) “Food operation” does not include a food establishment or farmers market.
      e) “Meat food product”, “poultry product”, and “prepared” mean the same as defined in section 189A.2.
   2. A person commits food operation trespass by entering or remaining on the property of a food operation without the consent of a person who has real or apparent authority to allow the person to enter or remain on the property.
   3. Subsection 2 does not apply to any of the following:
      a. A person entering a right-of-way, if the person has not been notified or requested by posted signage or other means to abstain from entering onto the right-of-way or to vacate the right-of-way.
      b. A person having lawful authority to enter onto the property of the food operation, including but not limited to a federal, state, or local government official.
      c. A person who is given express permission by the owner of the food operation to enter onto or remain on the property of the food operation.
      d. A person employed by a food operation while acting in the course of employment.

2020 Acts, ch 1036, §17, 19; 2020 Acts, ch 1118, §144 – 146

Referred to in §716.8