

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](#).

(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](#)