

HOUSE BILL REPORT

SSB 6299

As Passed House:
February 28, 2010

Title: An act relating to animal inspection.

Brief Description: Regarding animal inspections.

Sponsors: Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Schoesler, Hatfield and Shin).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/19/10, 2/23/10 [DP].

Floor Activity:

Passed House: 2/28/10, 96-0.

Brief Summary of Substitute Bill

- Changes inspection provisions for all animal health inspections.
- Creates authority to monitor livestock entering the state.
- Changes self-certification requirements for livestock identification.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 13 members: Representatives Blake, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Jacks, Kretz, Lias, McCoy, Nelson, Pearson, Rolfes, Van De Wege and Warnick.

Staff: Leslie Ryan-Connelly (786-7166).

Background:

Animal Health.

Animal health includes all animals except people, wildlife, fish, and insects. The primary focus of the animal health law is to prevent the spread of disease. In order for a person to import an animal into the state, the animal must be accompanied by a certificate of veterinary

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inspection from the state of origin that verifies the animal meets the health requirements of Washington. Such a veterinary inspection is not required for livestock destined for immediate slaughter which must occur within three days of importation.

The Washington State Department of Agriculture (WSDA) is authorized to conduct inspections related to animal health on any animal premise. The WSDA has authority to conduct tests, examinations or inspections for disease conditions when there is reasonable cause in order to protect animal health. The WSDA may also seize items when there is probable cause that there is a serious risk from disease or contamination.

If the WSDA is denied access to animal premises, the WSDA may obtain a search warrant for access with probable cause. Probable cause is the potential threat to the agricultural interests of the state or a potential threat which seriously endangers animals, human health, the environment, or public welfare. Violation of the animal health law is a gross misdemeanor. A gross misdemeanor is punishable by a maximum of one year in jail or a fine of \$5,000 or both.

Livestock Identification.

Livestock identification is also regulated by the WSDA. Livestock identification assists with proof of ownership which is required in order to sell, move, or transport cattle. One method of livestock identification is through self-inspection which requires the buyer and seller of livestock to document the change in ownership on a form designated by the WSDA. Self-inspection is authorized for 25 head or less of cattle.

Summary of Bill:

Animal Health.

The WSDA is authorized to conduct inspections related to animal health on any property. The scope of an animal health inspection is expanded to include the collection of samples and examination and copy of records when there is reasonable cause that animals are infected or exposed to disease. In addition, the WSDA has authority to conduct inspections to investigate potential violations related to the importing of livestock.

The definition of probable cause for the purposes of obtaining a search warrant to gain access to property is removed. A search warrant is required before the WSDA may seize property related to an investigation.

The WSDA is granted authority to monitor livestock entering the state. Persons importing, transporting, receiving, feeding, or housing imported livestock must comply with animal health livestock provisions and make livestock and records available for inspection. The WSDA may charge \$85 per hour plus mileage for inspection services. The WSDA may adopt rules related to livestock animal health and increase fees. Fees collected are deposited in the agricultural local fund and used to carry out the animal health laws.

When importing livestock, the duration of time from importation to delivery to a feedlot or a slaughter plant is reduced from 36 to 24 hours.

Livestock Identification.

A self-inspection certificate is no longer an accepted method to document a change in ownership of livestock. A self-inspection certificate may be accepted if used in conjunction with other documentation that establishes ownership as determined by the WSDA.

The WSDA may adopt rules related to issuing brand inspection documents and may charge a fee of \$25 for copies of brand inspection documents.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The bill will allow the WSDA the authority to inspect cattle imported into the state to ensure they do not co-mingle with resident stock.

(Opposed) None.

Persons Testifying: Leonard Eldridge, Washington State Department of Agriculture; and Jack Field, Washington Cattlemen's Association.

Persons Signed In To Testify But Not Testifying: None.