

HOUSE BILL REPORT

HB 2819

*As Reported By House Committee on:
Agriculture & Rural Development*

Title: An act relating to misbranding and adulteration.

Brief Description: Modifying provisions relating to adulteration and misbranding of meat products.

Sponsor(s): Representative R. Johnson.

Brief History:

Reported by House Committee on:
Agriculture & Rural Development, February 6, 1992, DPS.

**HOUSE COMMITTEE ON
AGRICULTURE & RURAL DEVELOPMENT**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 11 members: Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Staff: Kenneth Hirst (786-7105).

Background: The state's Meat Inspection Act regulates the preparation, transportation, labeling, and sale of meat products. It provides for inspections of establishments in which meat products are prepared for sale and prohibits the sale of misbranded or adulterated products. The provisions of the act requiring the inspection of meat or meat products do not apply to operations traditionally conducted by retail meat dealers. The requirements of the act are nonexclusive; they do not inhibit other forms of regulation.

The preparation and sale of poultry products are regulated under the state's Wholesome Poultry Products Act, chapter 16.74 RCW. The director of agriculture is required to exempt certain entities and operations from specific requirements of the act, including a retail dealer regarding poultry products which are sold directly to consumers at a retail store. These exemptions may include exemptions from the adulteration and misbranding requirements of the act.

Under both acts, a carcass or meat product is considered to be misbranded if it or its container does not bear an official inspection mark or "legend."

Summary of Substitute Bill: The adulteration and misbranding provisions of the state's Meat Inspection Act apply to operations of retail meat dealers which are exempted from inspection under the act. The misbranding restrictions imposed in this manner do not include the requirement that a product have an official inspection mark or legend.

Any exemption from the provisions of the Wholesome Poultry Products Act provided to retail dealers regarding the sale of poultry products to consumers does not include an exemption from the provisions of the act prohibiting the adulteration or misbranding of products. However, such exemptions may include exemptions from the requirement that a product bear an official inspection mark or legend.

Substitute Bill Compared to Original Bill: The original bill applied the adulteration and misbranding requirements of the poultry act to a variety of articles and operations which may be exempted from regulation under the act. The substitute bill applies the adulteration and misbranding requirements only to retail dealers.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: King County has been prosecuting retail violators of the adulteration and misbranding provisions of the meat and poultry acts for 15 years, at a rate of approximately 10 to 12 cases per year. However, retail dealers may actually be exempt from these requirements. The bill is necessary to enforce these consumer protection requirements.

Testimony Against: None.

Witnesses: Patrick Sainsbury, King County Prosecutor's Office (in favor); Cathy Jeffris, Washington State Fryers Commission (in favor); Kent Lebsack, Washington Cattlemen's Association (in favor); Dr. Everett F. Baker, Jr. and Jim Thompson, King County Health Department (in favor); and Dr. Robert Mead, Department of Agriculture.