

HOUSE BILL REPORT

HB 2523

As Reported By House Committee On:
Agriculture & Rural Development

Title: An act relating to violations concerning custom slaughtering and poultry products.

Brief Description: Regulating custom slaughtering and custom meat facility licenses.

Sponsors: Representatives Rayburn, Schoesler, Chappell, Chandler, Foreman, Hansen, R. Meyers and Mastin; by request of Department of Agriculture.

Brief History:

Reported by House Committee on:
Agriculture & Rural Development, January 24, 1994, DPA.

HOUSE COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT

Majority Report: Do pass as amended. Signed by 9 members: Representatives Rayburn, Chair; Kremen, Vice Chair; Chandler, Ranking Minority Member; Schoesler, Assistant Ranking Minority Member; Chappell; Karahalios; Lisk; McMorris; and Roland.

Staff: Kenneth Hirst (786-7105).

Background: A person who is engaged in the business of slaughtering animals for the owner of the animals or in preparing uninspected meat for the consumption of the owner of the meat must be licensed by the Department of Agriculture. A violation of the laws governing the activities of such persons is a gross misdemeanor. The director of agriculture may suspend or revoke a license under certain circumstances.

The preparation and sale of poultry products are regulated by the Department of Agriculture under the Wholesome Poultry Products Act. A person who violates a provision of the act or rules adopted under the act is guilty of a misdemeanor. If a person commits a second violation within five years of being convicted of violating the act, the person is guilty of a gross misdemeanor.

Summary of Amended Bill: In addition to being able to suspend or revoke a license for custom slaughtering and

custom meats, the Director of Agriculture may also establish conditions of probation for a designated period of time. A new civil penalty of not more than \$1,000 per day of violation is established for violations of the laws governing custom slaughtering and custom meats. A new civil penalty of not more than \$1,000 per day of violation is also established for violations of the Wholesome Poultry Products Act. All violations, not just repeated violations within five years, are gross misdemeanors under the Poultry Products Act.

Both a civil penalty and a criminal penalty may not be imposed for the same violation.

Amended Bill Compared to Original Bill: The amendments prohibit both a civil penalty and a criminal penalty from being imposed for the same violation.

Fiscal Note: Requested January 17, 1994.

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

Testimony For: The bill provides the Department of Agriculture with more tools for enforcing the custom meat and poultry laws. It is not easy to interest prosecutors in pursuing misdemeanor cases; however, the alternative, suspension or revocation of a license, is generally too severe a penalty.

Testimony Against: None.

Witnesses: Robert Mead and Clarence Siroky, Department of Agriculture (in favor).