

SENATE BILL REPORT

ESSB 5379

AS PASSED SENATE, MARCH 8, 1993

Brief Description: Making major changes to milk and milk products regulations.

SPONSORS: Senate Committee on Agriculture (originally sponsored by Senators M. Rasmussen, Barr, Loveland, Hochstatter and Winsley; by request of Department of Agriculture)

SENATE COMMITTEE ON AGRICULTURE

Majority Report: That Substitute Senate Bill No. 5379 be substituted therefor, and the substitute bill do pass.

Signed by Senators M. Rasmussen, Chairman; Loveland, Vice Chairman; Anderson, Barr, Bauer, Newhouse, and Snyder.

Staff: John Stuhlmiller (786-7446)

Hearing Dates: February 11, 1993; February 18, 1993

HOUSE COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT

BACKGROUND:

The Washington State Department of Agriculture regulates the production of milk and milk products in the state to protect consumers from unsafe products. Currently, dairies and dairy products are regulated under Chapter 15.32 RCW and fluid milk is regulated under Chapter 15.36 RCW. These chapters are very similar in construction and each has a number of measures which are outdated or which have been superseded by federal law.

SUMMARY:

Clarification is provided in regard to the specific testing requirements of a Grade A milk permit.

Also, facilities or individuals who are licensed under either milk statute may not be required to have a food processing license under the Food, Drug and Cosmetic Act.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The measure is needed to update and clarify current law to provide for succinct enforcement and to streamline the hearing and inspection process.

TESTIMONY AGAINST: The summary suspension proceedings outlined in the bill are a harsh penalty and need to be examined carefully.

TESTIFIED: Mike Schwisow, Verne Hedlund, Department of Agriculture (pro); Dan Coyne, Dairy Federation (pro); Tom Emerson, Darigold Farms (pro); Charles Krainick, milk producer (con)

HOUSE AMENDMENT(S):

Clarification is provided that the director may waive licensure requirements under the Food, Drug and Cosmetic Act if the facility is licensed by the department to conduct the same or similar operations under the state dairy product or fluid milk statutes.

Persons wishing to appeal decisions of the department are to follow the procedures set forth under the Administrative Procedure Act. The separate appeal procedure under the fluid milk statutes are repealed.