

# House Bill Analysis

## HB 2377

HOUSE AGRICULTURE AND ECOLOGY COMMITTEE

January 21, 2000

- Alters the penalties for certain violations of the custom meat laws and broadens the grounds for denying, suspending or revoking a license.
- Alters the types of sales of inspected meat a custom meat facility is authorized to make.
- Provides the Director of Agriculture more specific authority for establishing requirements under the custom meat laws and applies these more uniformly to each category of license; and no longer requires a certificate of need— for a custom slaughtering establishment.

### **BACKGROUND:**

In general, the custom meat laws regulate persons who slaughter and prepare uninspected meat for the owners of the meat. These laws are administered by the Department of Agriculture. (Chapter 16.49 RCW.) Custom farm slaughterers, custom slaughtering establishments, and custom meat facilities must be licensed under these laws. A "custom farm slaughterer" is a person who may slaughter meat food animals only for the consumption of the owner of the animals, through the use of an approved mobile unit. A "custom slaughtering establishment" is a facility operated by a person licensed to slaughter, at a fixed location, meat food animals only for the consumption of the owner of the animals. A "custom meat facility" is a facility operated by a person licensed to prepare uninspected meat for the sole consumption of the owner of the uninspected meat. Operators of custom meat facilities may also prepare and sell prepared inspected meat to household users only. They may also sell prepackaged inspected meat to any person; however, the prepackaged inspected meat cannot be prepared in any manner or opened or altered by these operators. (RCW 16.49.345(3)-(5).) The meat regulated by these laws is meat from cattle, swine, sheep, or goats. (RCW 16.49.435(6), (7) & (10).)

Although custom meat facilities must be licensed under the custom meat laws, these laws do not supersede or restrict the authority of a county or city to adopt ordinances which are more restrictive for the handling of meat by custom meat facilities. (RCW 16.49.670.)

### **SUMMARY:**

The custom meat laws are amended and a general statement of the purpose of these laws is provided. (Section 1.)

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Penalties. Violations of the provisions of these laws or the rules adopted under them are no longer gross misdemeanors. (Section 11.) However, it is unlawful, not simply a violation of these laws, to interfere with the performance of the Director of Agriculture's duties. (Sections 5, and 8(2).) Imposing both a civil penalty and a criminal penalty for a violation is no longer expressly prohibited. (Section 11.)

Grounds for Losing a License. Refusing, neglecting, or failing to comply with the Uniform Washington Food, Drug, and Cosmetic Act or rules now constitutes grounds for denying, suspending, or revoking a license under the custom meat laws. Refusing, neglecting, or failing to keep and maintain records required by the Director by rule (rather than required directly by the custom meat laws) or failing to make these records available to the Director is now cause for denying, suspending, or revoking a license. The Director no longer has express authority to establish conditions of probation in lieu of such a denial, suspension, or revocation. (Section 10.)

Authorized Activities. The uninspected meat prepared by a person licensed under the custom meat laws must still be for the owner of the meat but is no longer required to be for the sole consumption of the owner of the meat. (Sections 1(3)-(5) and 6(4).) Operators of custom meat facilities are no longer expressly authorized to sell pre-packaged inspected meat to any person. (Section 1(5).)

Authority of the Director. The Director is authorized to adopt rules setting requirements: for construction, equipment, cleaning, sanitation, and sanitary practices; for handling and storing meats and meat products; and for labeling meat and meat products. These authorities replace authorities for these rules that are stated more generally. (Section 3.) The Director is also authorized to adopt rules setting requirements for slaughtering and processing raptures such as ostriches, emus and rheas. (Sections 1(11) and 3(5).) Equipment used in preparing uninspected meat must be cleaned and sanitized before being used to prepare inspected meat. (Section 6(3).) Packages of uninspected meat may not be stored in a retail counter. (Section 6(7).) Specific instructions for tagging beef by custom slaughterers are provided. The tags may be provided only by the Director; each costs \$1.50. (Section 14.)

The initial issuance of a license under the custom meat laws requires a pre-licensing inspection and the license may be issued only if the applicant is found to be in compliance with the requirements of these laws and the Director's rules. This requirement replaces criteria for construction, mechanical equipment, sanitation currently listed for each licensing category under these laws. (Sections 4(2)(d), 4(4), 15(1) and 15(6).) An application for a license is expressly required to identify the physical location of each establishment or facility to be licensed. (Section 4(2)(b).) Licenses are not transferrable. (Section 4(6).)

Local Ordinances. The express authority provided to cities or counties to adopt restrictions for the handling of meat by a custom meat facility that are more stringent than those of the state now applies only to inspected meat, but now also applies to the sale of such meat by the

facility. (Section 13.)

Repealed. Provisions of law are repealed that: require a person proposing to operate a custom slaughtering establishment first to establish the need for the establishment, provide related application information, and be issued a limited license (Section 15(3)); exempt Washington State University's meat laboratories from licensure for certain slaughtering operations (Section 15(4)); exempt from the \$25 licensing renewal late fee penalty those who certify that they have not conducted the licensed activity since their licenses expired (Sections 4(3) and 15(2)).

