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ENGROSSED HOUSE BILL 1151

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Linville, G. Chandler, Cooper and Koster; by request of Department of Agriculture

Read first time 01/15/1999. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to updating or repealing dairy and food laws;  
2 amending RCW 15.36.012, 15.36.021, 15.36.051, 15.36.081, 15.36.111,  
3 15.36.151, 15.36.161, 15.36.171, 15.36.181, 15.36.191, 15.36.231,  
4 15.36.401, 15.36.421, 15.36.451, 15.36.471, 15.36.481, 15.36.491,  
5 15.36.511, 15.36.551, and 15.36.561; reenacting and amending RCW  
6 15.36.201; adding new sections to chapter 15.36 RCW; repealing RCW  
7 15.36.031, 15.36.061, 15.36.121, 15.36.211, 15.36.251, 15.36.291,  
8 15.36.301, 15.36.311, 15.36.411, 15.36.431, 15.36.441, 15.36.461,  
9 15.36.501, 15.36.521, 15.38.001, 15.38.010, 15.38.020, 15.38.030,  
10 15.38.040, 15.38.050, 15.40.010, 15.40.030, 15.40.040, 15.40.050,  
11 15.40.900, 15.41.010, 15.41.020, 16.48.120, 16.48.280, 16.48.310,  
12 16.48.311, 16.48.312, 16.48.320, 16.48.325, 16.49A.010, 16.49A.020,  
13 16.49A.030, 16.49A.040, 16.49A.050, 16.49A.060, 16.49A.070, 16.49A.080,  
14 16.49A.090, 16.49A.100, 16.49A.110, 16.49A.120, 16.49A.130, 16.49A.140,  
15 16.49A.150, 16.49A.160, 16.49A.170, 16.49A.180, 16.49A.190, 16.49A.200,  
16 16.49A.210, 16.49A.220, 16.49A.230, 16.49A.240, 16.49A.250, 16.49A.255,  
17 16.49A.260, 16.49A.270, 16.49A.280, 16.49A.290, 16.49A.300, 16.49A.310,  
18 16.49A.320, 16.49A.330, 16.49A.340, 16.49A.350, 16.49A.360, 16.49A.370,  
19 16.49A.380, 16.49A.390, 16.49A.400, 16.49A.410, 16.49A.420, 16.49A.430,  
20 16.49A.440, 16.49A.450, 16.49A.460, 16.49A.470, 16.49A.480, 16.49A.520,  
21 16.49A.530, 16.49A.540, 16.49A.550, 16.49A.560, 16.49A.570, 16.49A.580,

1 16.49A.590, 16.49A.600, 16.49A.610, 16.49A.620, 16.49A.630, 16.49A.640,  
2 16.49A.650, 16.49A.900, 16.49A.910, 16.49A.920, 16.74.010, 16.74.020,  
3 16.74.030, 16.74.040, 16.74.050, 16.74.060, 16.74.070, 16.74.080,  
4 16.74.090, 16.74.100, 16.74.110, 16.74.120, 16.74.130, 16.74.140,  
5 16.74.150, 16.74.160, 16.74.170, 16.74.180, 16.74.190, 16.74.200,  
6 16.74.210, 16.74.220, 16.74.230, 16.74.240, 16.74.250, 16.74.260,  
7 16.74.270, 16.74.280, 16.74.290, 16.74.300, 16.74.310, 16.74.320,  
8 16.74.330, 16.74.340, 16.74.350, 16.74.360, 16.74.370, 16.74.380,  
9 16.74.390, 16.74.400, 16.74.410, 16.74.420, 16.74.430, 16.74.440,  
10 16.74.450, 16.74.460, 16.74.470, 16.74.480, 16.74.490, 16.74.500,  
11 16.74.510, 16.74.520, 16.74.530, 16.74.540, 16.74.550, 16.74.560,  
12 16.74.570, 16.74.580, 16.74.590, 16.74.600, 16.74.610, 16.74.615,  
13 16.74.620, 16.74.630, 16.74.640, 16.74.650, 16.74.900, 16.74.910,  
14 16.74.920, 19.92.100, 19.92.110, 19.92.120, and 19.92.240; prescribing  
15 penalties; and providing an expiration date.

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

17 **Sec. 1.** RCW 15.36.012 and 1995 c 374 s 1 are each amended to read  
18 as follows:

19 For the purpose of this chapter:

20 "Adulterated milk" means milk that is deemed adulterated under  
21 appendix L of the PMO.

22 (~~"Aseptic processing" means the process by which milk or milk~~  
23 ~~products have been subjected to sufficient heat processing and packaged~~  
24 ~~in a hermetically sealed container so as to meet the standards of the~~  
25 ~~PMO.~~)

26 "Colostrum milk" means milk produced within ten days before or  
27 until practically colostrum free after parturition.

28 "DMO" means supplement I, the recommended sanitation ordinance for  
29 grade A condensed and dry milk products and condensed and dry whey, to  
30 the PMO published by the United States public health service, food and  
31 drug administration.

32 "Dairy farm" means a place or premises where one or more cows,  
33 goats, or other mammals are kept, a part or all of the milk or milk  
34 products from which is sold or offered for sale to a milk processing  
35 plant, transfer station, or receiving station.

36 "Dairy technician" means any person who takes samples of milk or  
37 cream or fluid derivatives thereof, on which sample tests are to be

1 made as a basis of payment, or who grades, weighs, or measures milk or  
2 cream or the fluid derivatives thereof, the grade, weight, or measure  
3 to be used as a basis of payment, or who operates equipment wherein  
4 milk or products thereof are pasteurized.

5 "Degrade" means the lowering in grade from grade A to grade C.

6 "Department" means the state department of agriculture.

7 "Director" means the director of agriculture of the state of  
8 Washington or the director's duly authorized representative.

9 (~~"Distributor" means a person other than a producer who offers for  
10 sale or sells to another, milk or milk products.~~)

11 "Grade A milk processing plant" means any milk processing plant  
12 that meets all of the standards of the PMO to process grade A  
13 pasteurized milk or milk products.

14 "Grade A pasteurized milk" means grade A raw milk that has been  
15 pasteurized.

16 "Grade A raw milk" means raw milk produced upon dairy farms  
17 conforming with all of the items of sanitation contained in the PMO, in  
18 which the bacterial plate count does not exceed twenty thousand per  
19 milliliter and the coliform count does not exceed ten per milliliter as  
20 determined in accordance with RCW 15.36.201.

21 "Grade A raw milk for pasteurization" means raw milk produced upon  
22 dairy farms conforming with all of the same items of sanitation  
23 contained in the PMO of grade A raw milk, and the bacterial plate  
24 count, as delivered from the farm, does not exceed eighty thousand per  
25 milliliter as determined in accordance with RCW 15.36.201.

26 "Grade C milk" is milk that violates any of the requirements for  
27 grade A milk but that is not deemed to be adulterated.

28 (~~"Homogenized" means milk or milk products which have been treated  
29 to ensure breakup of the fat globules to an extent consistent with the  
30 requirements outlined in the PMO.~~)

31 "Milk" means the lacteal secretion, practically free of colostrum,  
32 obtained by the complete milking of one or more healthy cows, goats, or  
33 other mammals.

34 "Milk hauler" means a person who transports milk or milk products  
35 in bulk to or from a milk processing plant, receiving station, or  
36 transfer station.

37 "Milk processing" means the handling, preparing, packaging, or  
38 processing of milk in any manner in preparation for sale as food, as  
39 defined in chapter 69.04 RCW. Milk processing does not include milking

1 or producing milk on a dairy farm that is shipped to a milk processing  
2 plant for further processing.

3 "Milk processing plant" means a place, premises, or establishment  
4 where milk or milk products are collected, handled, processed, stored,  
5 bottled, pasteurized, aseptically processed, bottled, or prepared for  
6 distribution, except an establishment that merely receives the  
7 processed milk products and serves them or sells them at retail.

8 "Milk products" means the product of a milk manufacturing process.

9 "Misbranded milk" means milk or milk products that carries a grade  
10 label unless such grade label has been awarded by the director and not  
11 revoked, or that fails to conform in any other respect with the  
12 statements on the label.

13 (~~"Official brucellosis adult vaccinated cattle" means those  
14 cattle, officially vaccinated over the age of official calfhood  
15 vaccinated cattle, that the director has determined have been  
16 commingled with, or kept in close proximity to, cattle identified as  
17 brucellosis reactors, and have been vaccinated against brucellosis in  
18 a manner and under the conditions prescribed by the director after a  
19 hearing and under rules adopted under chapter 34.05 RCW, the  
20 administrative procedure act.~~)

21 "Official laboratory" means a biological, chemical, or physical  
22 laboratory that is under the direct supervision of the state or a local  
23 regulatory agency.

24 "Officially designated laboratory" means a commercial laboratory  
25 authorized to do official work by the department, or a milk industry  
26 laboratory officially designated by the department for the examination  
27 of grade A raw milk for pasteurization and commingled milk tank truck  
28 samples of raw milk for antibiotic residues and bacterial limits.

29 "PMO" means the grade "A" pasteurized milk ordinance published by  
30 the United States public health service, food and drug administration.

31 "Pasteurized" means the process of heating every particle of milk  
32 or milk product in properly designed and operated equipment to the  
33 temperature and time standards specified in the PMO.

34 "Person" means an individual, partnership, firm, corporation,  
35 company, trustee, or association.

36 "Producer" means a person or organization who operates a dairy farm  
37 and provides, sells, or offers milk for sale to a milk processing  
38 plant, receiving station, or transfer station.

1 "Receiving station" means a place, premises, or establishment where  
2 raw milk is received, collected, handled, stored, or cooled and  
3 prepared for further transporting.

4 "Sale" means selling, offering for sale, holding for sale,  
5 preparing for sale, trading, bartering, offering a gift as an  
6 inducement for sale of, and advertising for sale in any media.

7 "Transfer station" means any place, premises, or establishment  
8 where milk or milk products are transferred directly from one milk tank  
9 truck to another.

10 (~~"Ultrapasteurized" means the process by which milk or milk~~  
11 ~~products have been thermally processed in accordance with the time and~~  
12 ~~temperature standards of the PMO, so as to produce a product which has~~  
13 ~~an extended shelf life under refrigerated conditions.~~)

14 ~~"Ungraded processing plant" means a milk processing plant that~~  
15 ~~meets all of the standards of the PMO to produce milk products other~~  
16 ~~than grade A milk or milk products.)~~)

17 "Wash station" means a place, facility, or establishment where milk  
18 tanker trucks are cleaned in accordance with the standards of the PMO.

19 (~~All dairy products mentioned in this chapter mean those fit or~~  
20 ~~used for human consumption.))~~)

21 **Sec. 2.** RCW 15.36.021 and 1996 c 188 s 3 are each amended to read  
22 as follows:

23 The director of agriculture is authorized to:

24 (1) Adopt rules necessary to carry out the purposes of chapter(~~(s)~~)  
25 15.36 (~~and 15.38~~) RCW, which includes rules governing the farm  
26 storage tank and bulk milk tanker requirements, however the rules may  
27 not restrict the display or promotion of products covered under this  
28 section.

29 (2) By rule, establish, amend, or both, definitions and standards  
30 for milk and milk products. Such definitions and standards established  
31 by the director shall conform, insofar as practicable, with the  
32 definitions and standards for milk and milk products adopted by the  
33 federal food and drug administration. (~~The director of agriculture,~~  
34 ~~by rule, may likewise establish, amend, or both, definitions and~~  
35 ~~standards for products whether fluid, powdered or frozen, compounded or~~  
36 ~~manufactured to resemble or in semblance or imitation of genuine dairy~~  
37 ~~products as defined under the provisions of this chapter. Such~~  
38 ~~products made to resemble or in semblance or imitation of genuine dairy~~)

1 products shall conform with all the provisions of chapter 15.38 RCW and  
2 be made wholly of nondairy products.

3 All such products compounded or manufactured to resemble or in  
4 semblance or imitation of a genuine dairy product shall set forth on  
5 the container or labels the specific generic name of each ingredient  
6 used.

7 In the event any product compounded or manufactured to resemble or  
8 in semblance or imitation of a genuine dairy product contains vegetable  
9 fat or oil, the generic name of such fat or oil shall be set forth on  
10 the label. If a blend or variety of oils is used, the ingredient  
11 statement shall contain the term "vegetable oil" in the appropriate  
12 place in the ingredient statement, with the qualifying phrase following  
13 the ingredient statement, such as "vegetable oils are soybean,  
14 cottonseed and coconut oils" or "vegetable oil, may be cottonseed,  
15 coconut or soybean oil."

16 The labels or containers of such products compounded or  
17 manufactured to resemble or in semblance or imitation of genuine dairy  
18 products shall not use dairy terms or words or designs commonly  
19 associated with dairying or genuine dairy products, except as to the  
20 extent that such words or terms are necessary to meet legal  
21 requirements for labeling. The term "nondairy" may be used as an  
22 informative statement.))

23 (3) By rule, adopt the PMO, DMO, and supplemental documents by  
24 reference to establish requirements for grade A pasteurized and grade  
25 A raw milk.

26 (4) Adopt rules establishing standards for grade A pasteurized and  
27 grade A raw milk that are more stringent than the PMO based upon  
28 current industry or public health information for the enforcement of  
29 this chapter whenever he or she determines that any such rules are  
30 necessary to carry out the purposes of this section and RCW 15.36.481.  
31 ((The adoption of rules under this chapter, or the holding of a hearing  
32 in regard to a license issued or that may be issued under this chapter  
33 are subject to the applicable provisions of chapter 34.05 RCW, the  
34 administrative procedure act.))

35 (5) By rule, certify an officially designated laboratory to analyze  
36 milk for standard of quality, adulteration, contamination, and  
37 unwholesomeness.

38 (6) Adopt rules setting standards and requirements for the  
39 production of grade C milk and milk products.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 15.36 RCW  
2 to read as follows:

3        Chapter 34.05 RCW governs the rights, remedies, and procedures  
4 respecting the administration of this chapter, including rule making,  
5 assessment of civil penalties, emergency actions, and license  
6 suspension, revocation, or denial.

7        **Sec. 4.**    RCW 15.36.051 and 1994 c 143 s 203 are each amended to  
8 read as follows:

9        A milk processing plant must obtain an annual milk processing plant  
10 license from the department, which shall expire on ~~((a date set by rule~~  
11 ~~by the director))~~ June 30 of each year. A milk processing plant may  
12 choose to process (1) grade A milk and milk products, or (2) other milk  
13 products that are not classified grade A.

14        Only one license may be required to process milk; however, milk  
15 processing plants must obtain the necessary endorsements from the  
16 department in order to process products as defined for each type of  
17 milk or milk product processing. ~~((License fees shall be prorated if~~  
18 ~~necessary to accommodate staggering of expiration dates.))~~ Application  
19 for a license shall be on a form prescribed by the director and  
20 accompanied by a twenty-five dollar annual license fee. The applicant  
21 shall include on the application the full name of the applicant for the  
22 license and the location of the milk processing plant he or she intends  
23 to operate and any other necessary information. Upon the approval of  
24 the application by the director and compliance with the provisions of  
25 this chapter, including the applicable rules adopted under this chapter  
26 by the department, the applicant shall be issued a license or a renewal  
27 of a license.

28        Licenses shall be issued to cover only those products, processes,  
29 and operations specified in the license application and approved for  
30 licensing. If a license holder wishes to engage in processing a type  
31 of milk product that is different than the type specified on the  
32 application supporting the licensee's existing license and processing  
33 that type of food product would require a major addition to or  
34 modification of the licensee's processing facilities, the licensee  
35 shall submit an amendment to the current license application. In such  
36 a case, the licensee may engage in processing the new type of milk  
37 product only after the amendment has been approved by the department.

1 A licensee under this section shall not be required to obtain ((a  
2 milk distributor's license under this chapter or)) a food processing  
3 plant license under chapter 69.07 RCW.

4 **Sec. 5.** RCW 15.36.081 and 1994 c 143 s 206 are each amended to  
5 read as follows:

6 A dairy technician must obtain a dairy technician's license to  
7 conduct operations under this chapter. Such license shall be limited  
8 to those functions which the licensee has been found qualified ((by  
9 examination)) to perform. Before issuing the license the director  
10 shall ((examine)) assess the ((applicant as to his or her)) applicant's  
11 qualifications and may test the applicant for the functions for which  
12 application has been made.

13 Application for a license as a dairy technician shall be made upon  
14 forms provided by the director, and shall be filed with the department.  
15 The director may issue a temporary license to the applicant for such  
16 period as may be prescribed and stated in the license, not to exceed  
17 sixty days, but the license may not be renewed to extend the period  
18 beyond sixty days.

19 The initial application for a dairy technician's license must be  
20 accompanied by a license fee of ten dollars. ((If it is not necessary  
21 that an examination be given,)) The fee for renewal of the license is  
22 five dollars. ((For circumstance[s] that require an examination the  
23 renewal fee is ten dollars.)) All dairy technicians' licenses shall  
24 expire ((biennially on a date set by rule by the director. License  
25 fees shall be prorated where necessary to accommodate staggering of  
26 expiration dates of a license or licenses)) on December 31 of odd-  
27 numbered years.

28 **Sec. 6.** RCW 15.36.111 and 1996 c 189 s 1 are each amended to read  
29 as follows:

30 (1) The director shall inspect all dairy farms and all milk  
31 processing plants prior to issuance of a license under this chapter and  
32 at a frequency determined by the director by rule: PROVIDED, That the  
33 director may accept the results of periodic industry inspections of  
34 producer dairies if such inspections have been officially checked  
35 periodically and found satisfactory. In case the director discovers  
36 the violation of any item of grade requirement, he or she shall make a  
37 second inspection after a lapse of such time as he or she deems



1 necessary for the defect to be remedied, but not before the lapse of  
2 three days, and the second inspection shall be used in determining  
3 compliance with the grade requirements of this chapter. Whenever there  
4 is any violation of the same requirement of this chapter on ((such  
5 reinspection shall call for degrading or summary suspension of the  
6 license in accordance with the requirements of chapter 34.05 RCW)) the  
7 second inspection, the director may initiate proceedings to degrade,  
8 suspend the license, or assess a civil penalty.

9 (2) One copy of the inspection report detailing the grade  
10 requirement violations shall be posted by the director in a conspicuous  
11 place upon an inside wall of ((one of)) the ((dairy farm or)) milk tank  
12 room or a mutually agreed upon location on a dairy farm or given to an  
13 operator of the milk processing plant ((buildings)), and said  
14 inspection report shall not be defaced or removed by any person except  
15 the director. Another copy of the inspection report shall be filed  
16 with the records of the director.

17 (3) Every milk producer and ((distributor)) milk processing plant  
18 shall permit the director access to all parts of the establishment  
19 during the working hours of the producer or ((distributor)) milk  
20 processing plant, which shall at a minimum include the hours from 8  
21 a.m. to 5 p.m., and every ((distributor)) milk processing plant shall  
22 furnish the director, upon his or her request, for official use only,  
23 samples of any milk product for laboratory analysis, a true statement  
24 of the actual quantities of milk and milk products of each grade  
25 purchased and sold, together with a list of all sources, records of  
26 inspections and tests, and recording thermometer charts.

27 **Sec. 7.** RCW 15.36.151 and 1994 c 143 s 303 are each amended to  
28 read as follows:

29 It is unlawful to sell, offer for sale, or deliver:

30 (1) Milk or products produced from milk from cows, goats, or other  
31 mammals affected with disease or of which the owner thereof has refused  
32 official examination and tests for disease; or

33 (2) Colostrum milk for consumption by humans, except that colostrum  
34 milk from cows that have been tested for brucellosis within sixty days  
35 of parturition may be made available to persons having multiple  
36 sclerosis, or other persons acting on their behalf, who, at the time of  
37 the initial sale, present a form, signed by a licensed physician,  
38 certifying that the intended user has multiple sclerosis and that the

1 user releases the provider of the milk from liability resulting from  
2 the consumption of the milk. Colostrum milk provided under this  
3 section is exempt from meeting the standards for grade A raw milk  
4 required by this chapter.

5 ~~((3) The department of agriculture shall adopt rules to carry out  
6 this section. The rules shall include but not be limited to  
7 establishing standards requiring hyper-immunization.))~~

8 **Sec. 8.** RCW 15.36.161 and 1982 c 131 s 2 are each amended to read  
9 as follows:

10 ~~((Except as provided hereinafter, tuberculin test of all herds and  
11 additions thereto shall be made before any milk therefrom is sold, and  
12 at least once every twelve months thereafter, by an accredited and  
13 licensed veterinarian approved by the state department of agriculture  
14 or veterinarian employed by the bureau of animal industry, United  
15 States department of agriculture. Said tests shall be made and the  
16 reactors disposed of in accordance with the requirements approved by  
17 the director for accredited herds. A certificate signed by the  
18 veterinarian or attested to by the director and filed with the director  
19 shall be evidence of the above test: PROVIDED, That in modified  
20 accredited counties in which the modified accredited area plan is  
21 applied to the dairy herds, the modified accredited area system  
22 approved by the director shall be accepted in lieu of annual testing.~~

23 ~~No fluid milk or cream designated or represented to be "grade A"  
24 fluid milk or cream shall be sold, offered or exposed for sale which  
25 has been produced from a herd of cows, one or more of which are  
26 infected with brucellosis at the time such milk is produced, or from  
27 animals in such herd which have not been blood tested for brucellosis  
28 at least once during the preceding calendar year, or milk ring tested  
29 for brucellosis at least semiannually during the preceding year. The  
30 results of a test for brucellosis by the state or federal laboratory of  
31 a blood sample drawn by an official veterinarian, shall be prima facie  
32 evidence of the infection or noninfection of the animal or herds:  
33 PROVIDED, That in lieu thereof, two official negative milk ring tests  
34 for brucellosis not less than six months apart may be accepted as such  
35 evidence. All herds of cows, the fluid milk or cream from which is  
36 designated or represented to be "grade A" fluid milk or cream shall be  
37 blood tested for brucellosis annually or milk ring tested for  
38 brucellosis semiannually. Such herds showing any reaction to the milk~~

1 ring test shall be blood tested and all reactors to the blood test  
2 removed from the herd and disposed of within fifteen days from the date  
3 they are tagged and branded. The remaining animals in the infected  
4 herd shall be retested at not less than thirty day nor more than sixty-  
5 day intervals from the date of the first test: PROVIDED, That herds  
6 that have been officially brucellosis adult vaccinated shall be  
7 retested not less than sixty days nor more than one hundred fifty days  
8 after being so vaccinated and such herds shall be retested and released  
9 from quarantine at intervals and under conditions prescribed by the  
10 director. A series of retests, with removal and disposition of  
11 reacting animals, shall be continued until the herd shall have passed  
12 two successive tests in which no reactors are found. If upon a final  
13 test, not less than six months nor more than seven months from the date  
14 of the last negative test, no reactors are found in the herd, it shall  
15 be deemed a disease free herd. Results of official blood or milk ring  
16 tests shall be conspicuously displayed in the milk house.

17 All milk and milk products consumed raw shall be from herds or  
18 additions thereto which have been found free from brucellosis, as shown  
19 by blood serum tests or other approved tests for agglutinins against  
20 brucella organisms made in a laboratory approved by the director. All  
21 such herds shall be retested at least every twelve months and all  
22 reactors removed from the herd. If a herd is found to have one or more  
23 animals positive to the brucellosis test, all milk from that herd is to  
24 be pasteurized until the three consecutive brucellosis tests obtained  
25 at thirty day intervals between each test are found to be negative. A  
26 certificate identifying each animal by number and signed by the  
27 laboratory making the test shall be evidence of the above test.))

28 (1) All milking cows, goats, and other mammals must meet the animal  
29 health requirements established by the state veterinarian under the  
30 authority of chapter 16.36 RCW.

31 (2) Milk or milk products from cows, goats, and other mammals  
32 intended for consumption in the raw state must be from a herd which is  
33 tested negative within the previous twelve months for brucellosis,  
34 tuberculosis, and any other disease the director may designate by rule.  
35 Additions to the herd must be tested negative for the diseases within  
36 the previous thirty days before introduction into the herd. The state  
37 veterinarian shall direct all testing procedures in accordance with  
38 state and national standards for animal disease eradication.

1       ~~(3) Cows ((which show an extensive or entire induration of one or~~  
2 ~~more quarters of the udder upon physical examination)), goats, and~~  
3 ~~other mammals showing chronic mastitis, whether ((secreting)) producing~~  
4 ~~abnormal milk or not, shall be permanently excluded from the milking~~  
5 ~~herd. Cows ((giving)), goats, and other mammals producing bloody,~~  
6 ~~((or)) stringy, or otherwise abnormal milk, but with only slight~~  
7 ~~((induration)) inflammation of the udder shall be excluded from the~~  
8 ~~herd until reexamination shows that the milk has become normal.~~

9       ~~((For other diseases such tests and examinations as the director~~  
10 ~~may require after consultation with state livestock sanitary officials~~  
11 ~~shall be made at intervals and by methods prescribed by him.))~~

12       **Sec. 9.** RCW 15.36.171 and 1995 c 374 s 3 are each amended to read  
13 as follows:

14       ~~((No milk or milk products shall be sold to the final consumer or~~  
15 ~~to restaurants, soda fountains, grocery stores, or similar~~  
16 ~~establishments except grade A pasteurized milk, or grade A raw milk.))~~  
17 The director may revoke the license of any ~~((milk distributor,))~~ milk  
18 processing plant~~((,))~~ or producer whose product fails to qualify as  
19 grade A pasteurized or grade A raw, or in lieu thereof may degrade  
20 ~~((his or her))~~ the product to grade C and permit its sale as other than  
21 fluid milk or grade A milk products during a period not exceeding  
22 thirty days. In the event of an emergency, the director may permit the  
23 sale of grade C milk for more than thirty days.

24       **Sec. 10.** RCW 15.36.181 and 1994 c 143 s 302 are each amended to  
25 read as follows:

26       No person shall produce, sell, offer, or expose for sale, or have  
27 in possession with intent to sell, any milk or milk product which is  
28 adulterated~~((,))~~ or misbranded~~((, or ungraded))~~. It ~~((shall be))~~ is  
29 unlawful for any person, elsewhere than in a private home, to have in  
30 possession any adulterated~~((,))~~ or misbranded~~((, or ungraded))~~ milk or  
31 milk products~~((: PROVIDED, That in an emergency the sale of ungraded~~  
32 ~~milk or milk products may be authorized by the director, in which case~~  
33 ~~they shall be labeled "ungraded."))~~.

34       Adulterated~~((,))~~ or misbranded~~((, and/or ungraded))~~ milk or milk  
35 products may be impounded and disposed of by the director.

1       **Sec. 11.** RCW 15.36.191 and 1994 c 143 s 304 are each amended to  
2 read as follows:

3       (~~The department,~~) After obtaining a sample of milk or milk  
4 product for analysis, the department shall, within ten days ((after))  
5 of obtaining the result of the analysis, send ((the)) any violative  
6 results to the person from whom the sample was taken or to the person  
7 responsible for the condition of the milk.

8       **Sec. 12.** RCW 15.36.201 and 1994 c 143 s 401 and 1994 c 46 s 11 are  
9 each reenacted and amended to read as follows:

10       (1) During any consecutive six months at least four samples of raw  
11 milk, raw milk for pasteurization, or both, from each dairy farm and  
12 raw milk for pasteurization, after receipt by the milk processing plant  
13 and prior to pasteurization, heat-treated milk products, and  
14 pasteurized milk and milk products from each grade A milk processing  
15 plant, for purposes of compliance with the PMO, shall be collected in  
16 at least four separate months and examined in ((a)) an official  
17 laboratory ((approved by the director)): PROVIDED, That in the case of  
18 raw milk for pasteurization the director may accept the results of an  
19 officially designated laboratory. ((Samples of other milk products may  
20 be taken and examined in a laboratory approved by the director as often  
21 as he or she deems necessary. Samples of milk and milk products from  
22 stores, cafes, soda fountains, restaurants, and other places where milk  
23 or milk products are sold shall be examined as often as the director  
24 may require. Bacterial plate counts, direct microscopic counts,  
25 coliform determinations, phosphatase tests and other laboratory tests  
26 shall conform to the requirements of the PMO. Examinations may include  
27 such other chemical and physical determinations as the director may  
28 deem necessary for the detection of adulteration or for purposes of  
29 compliance. Samples may be taken by the director at any time prior to  
30 the final delivery of the milk or milk products. All proprietors of  
31 cafes, stores, restaurants, soda fountains, and other similar places  
32 shall furnish the director, upon his or her request, with the name of  
33 all distributors from whom their milk and milk products are obtained.))

34       (2) If two of the last four consecutive bacterial counts, somatic  
35 cell counts, coliform determinations, or cooling temperatures, taken on  
36 separate days, exceed the standard for milk or milk products  
37 established in this chapter and rules adopted under this chapter, the  
38 director shall send written notice thereof to the person concerned.

1 This notice shall remain in effect so long as two of the last four  
2 consecutive samples exceed the limit of the same standard. An  
3 additional sample shall be taken (~~within twenty one days of the~~)  
4 after sending of the notice, but not before the lapse of three days.  
5 The director (~~shall~~) may initiate proceedings to degrade or  
6 (~~summarily~~) suspend the milk producer's license or milk processing  
7 plant license or assess a civil penalty whenever the standard is again  
8 violated so that three of the last five consecutive samples exceed the  
9 limit of the same standard. (~~A milk producer's license or milk~~  
10 ~~processing plant license shall subsequently be reinstated in notice~~  
11 ~~status upon receipt of sample results that are within the standard for~~  
12 ~~which the suspension occurred.~~)

13 ~~In case of violation of the phosphatase test requirements, the~~  
14 ~~cause of underpasteurization shall be determined and removed before~~  
15 ~~milk or milk products from this milk processing plant can again be sold~~  
16 ~~as pasteurized milk or milk products.)~~)

17 NEW SECTION. Sec. 13. A new section is added to chapter 15.36 RCW  
18 to read as follows:

19 Any person selling milk or milk products shall furnish the  
20 director, upon request, with the name of all milk processing plants or  
21 distributors from whom their milk and milk products are obtained.

22 **Sec. 14.** RCW 15.36.231 and 1961 c 11 s 15.36.265 are each amended  
23 to read as follows:

24 (1) Milk and milk products for consumption in the raw state shall  
25 be bottled or packaged on the farm where produced. Bottling and  
26 capping shall be done in a sanitary manner by means of approved  
27 equipment and these operations shall be integral in one machine. Caps  
28 or cap stock shall be purchased in sanitary containers and kept therein  
29 in a clean dry place until used.

30 (2) All containers enclosing raw milk or any raw milk product shall  
31 be plainly labeled or marked with the word "raw" and the name of the  
32 producer or packager. The label or mark shall be in letters of a size,  
33 kind, and color approved by the director and shall contain no marks or  
34 words which are misleading.

35 **Sec. 15.** RCW 15.36.401 and 1994 c 143 s 501 are each amended to  
36 read as follows:

1        (1) A license issued under this chapter may be denied ((or)),  
2 suspended, or revoked by the director ((upon violation by the holder of  
3 any of the terms of this chapter, for interference with the director in  
4 the performance of his or her duties, or if the holder has exhibited in  
5 the discharge of his or her functions negligence, misconduct, or lack  
6 of qualification.)) when a person:

7        (a) Fails to comply with the provisions of this chapter or the  
8 rules adopted under this chapter;

9        (b) Refuses the department access to a portion or area of a  
10 facility regulated under this chapter, for the purpose of carrying out  
11 the provisions of this chapter;

12        (c) Fails to comply with an order of the director;

13        (d) Refuses to make available to the department records required to  
14 be kept under the provisions of this chapter;

15        (e) Fails to comply with the applicable provisions of chapter 69.04  
16 RCW, Washington intrastate commerce in food, drugs, and cosmetics act,  
17 or rules adopted under that chapter;

18        (f) Interferes with the director in the performance of his or her  
19 duties; or

20        (g) Exhibits negligence, misconduct, or lack of qualification in  
21 the discharge of his or her functions.

22        Upon notice by the director to deny, revoke, or suspend a license,  
23 a person may request a hearing under chapter 34.05 RCW.

24        (2) Whenever a milk transport vehicle is found in violation of this  
25 chapter or rules adopted under this chapter, the endorsement for that  
26 milk transport vehicle contained on a milk hauler's license may be  
27 suspended or revoked. The suspension or revocation does not apply to  
28 any other milk transport vehicle operated by the milk hauler.

29        (3) A license may be revoked ((after an opportunity for a hearing))  
30 by the director upon serious or repeated violations or after ((the)) a  
31 license ((has been suspended)) suspension or degrade for thirty  
32 continuous days without correction of the items causing the suspension  
33 or degrade.

34        **Sec. 16.** RCW 15.36.421 and 1994 c 143 s 503 are each amended to  
35 read as follows:

36        (1) If the director finds a milk processing plant or producer  
37 operating under conditions that constitute an immediate danger to  
38 public health, safety, or welfare or if the licensee or an employee of

1 the licensee actively prevents the director or the director's  
2 representative, during an on-site inspection, from determining whether  
3 such a (~~conditions [condition]~~) condition exists, the director may  
4 summarily suspend(~~(, pending a hearing,)~~) a license provided for in  
5 this chapter.

6 (2) If a license is summarily suspended, the holder of the license  
7 shall be notified in writing that the license is, upon service of the  
8 notice, immediately suspended and that prompt opportunity for a hearing  
9 will be provided.

10 (3) If a license is summarily suspended, processing and shipping  
11 operations shall immediately cease. However, the director may  
12 reinstate the license if the condition that caused the suspension has  
13 been abated to the director's satisfaction.

14 **Sec. 17.** RCW 15.36.451 and 1996 c 189 s 2 are each amended to read  
15 as follows:

16 Any producer or (~~distributor of milk or milk products the grade of~~  
17 ~~which has been lowered~~) milk processing plant whose milk has been  
18 degraded by the director, or whose (~~permit~~) license has been  
19 suspended may at any time make application for the regrading of his or  
20 her products or the reinstatement of his or her (~~permit~~) license.

21 Upon receipt of a satisfactory application, in case the lowered  
22 grade or the (~~permit~~) license suspension was the result of violation  
23 of the bacteriological or cooling temperature standards, the director  
24 shall take further samples of the applicant's output, at a rate of not  
25 more than two samples per week. The director shall regrade the milk or  
26 milk products upward or reinstate the (~~permit~~) license on compliance  
27 with grade requirements as determined in accordance with the provisions  
28 of RCW 15.36.201.

29 In case the lowered grade of the applicant's product or the  
30 (~~permit~~) license suspension was due to a violation of an item other  
31 than bacteriological standard or cooling temperature, the said  
32 application must be accompanied by a statement signed by the applicant  
33 to the effect that the violated item of the specifications had been  
34 conformed with. Within one week of the receipt of such an application  
35 and statement the director shall make a reinspection of the applicant's  
36 establishment and thereafter as many additional reinspections as he or  
37 she may deem necessary to assure himself or herself that the applicant  
38 is again complying with the higher grade requirements(~~(, and in case~~



1 ~~the findings justify, shall regrade the milk or milk products upward or~~  
2 ~~reinstate the permit)).~~ The higher grade or license shall be  
3 reinstated upon confirmation that all violated items are corrected and  
4 any period for reduction in grade or license suspensions as ordered by  
5 the director has been completed.

6 NEW SECTION. Sec. 18. A new section is added to chapter 15.36 RCW  
7 to read as follows:

8 (1) Except as provided in RCW 15.36.471 or subsection (2) or (3) of  
9 this section, any person who fails to comply with this chapter or the  
10 rules adopted under this chapter may be subject to a civil penalty in  
11 an amount of not more than one thousand dollars per violation per day.

12 (2) The director shall adopt rules establishing civil penalties  
13 assessed under RCW 15.36.111(1) and 15.36.201(2). The penalties shall  
14 be equitably based on the volume of milk or milk product handled by the  
15 producer or milk processor subject to the penalty.

16 (3) Whenever the results of an antibiotic, pesticide, or other drug  
17 residue test on a producer's milk are above the actionable level  
18 established in the PMO, the producer is subject to a civil penalty in  
19 an amount equal to one-half the value of the sum of the volumes of milk  
20 produced on the day prior to and the day of the adulteration. The  
21 value of the milk shall be computed using the weighted average price  
22 for the federal market order under which the milk is delivered.

23 (4) Each violation is a separate and distinct offense. The  
24 director shall impose the civil penalty in accordance with chapter  
25 34.05 RCW. Moneys collected under this section and RCW 15.36.471 shall  
26 be remitted to the department and deposited into the revolving fund of  
27 the Washington state dairy products commission.

28 NEW SECTION. Sec. 19. A new section is added to chapter 15.36 RCW  
29 to read as follows:

30 The authority to assess a civil penalty under RCW 15.36.111(1) and  
31 15.36.201(2) shall be used only as consistent with the 1995 grade A  
32 pasteurized milk ordinance published by the United States public health  
33 service, food and drug administration and adopted by department in WAC  
34 16-101-700, or any subsequent version as adopted by the department  
35 under the authority of RCW 15.36.021(3).

1       **Sec. 20.** RCW 15.36.471 and 1994 c 143 s 511 are each amended to  
2 read as follows:

3       (1) The director (~~((of agriculture))~~) shall adopt rules imposing a  
4 civil penalty of not more than ten thousand dollars for violations of  
5 the standards for component parts of fluid dairy products which are  
6 established under this chapter or adopted pursuant to RCW 69.04.398.  
7 (~~The penalty shall not exceed ten thousand dollars and shall be such~~  
8 ~~as is necessary to achieve proper enforcement of the standards. The~~  
9 ~~rules shall be adopted before January 1, 1987, and shall become~~  
10 ~~effective on July 1, 1987.~~

11       (2) ~~The penalty is imposed by the department giving a written~~  
12 ~~notice which is either personally served upon or transmitted by~~  
13 ~~certified mail, return receipt requested, to the person incurring the~~  
14 ~~penalty. The notice of the civil penalty shall be a final order of the~~  
15 ~~department unless, within fifteen days after the notice is received,~~  
16 ~~the person incurring the penalty appeals the penalty by filing a notice~~  
17 ~~of appeal with the department. If a notice of appeal is filed in a~~  
18 ~~timely manner, a hearing shall be conducted on behalf of the department~~  
19 ~~by the office of administrative hearings in accordance with chapters~~  
20 ~~34.05 and 34.12 RCW. At the conclusion of the hearing, the department~~  
21 ~~shall determine whether the penalty should be affirmed, reduced, or not~~  
22 ~~imposed and shall issue a final order setting forth the civil penalty~~  
23 ~~assessed, if any. The order may be appealed to superior court in~~  
24 ~~accordance with chapter 34.05 RCW. Tests performed for the component~~  
25 ~~parts of milk products by a state laboratory of a milk sample collected~~  
26 ~~by a department official shall be admitted as prima facie evidence of~~  
27 ~~the amounts of milk components in the product.~~

28       (3) ~~Any penalty imposed under this section is due and payable upon~~  
29 ~~the issuance of the final order by the department.~~

30       (4) ~~All penalties received or recovered from violations of this~~  
31 ~~section shall be remitted by the violator to the department and~~  
32 ~~deposited in the revolving fund of the Washington state dairy products~~  
33 ~~commission. One half of the funds received shall be used for purposes~~  
34 ~~of education with the remainder one half to be used for dairy~~  
35 ~~processing or marketing research, or both. No appropriation is~~  
36 ~~required for disbursements from this fund.~~

37       (5)) (2) In case of a violation of the standards for the  
38 composition of milk products, an investigation shall be made to  
39 determine the cause of the violation which shall be corrected.

1 Additional samples shall be taken as soon as possible and tested by the  
2 department.

3 NEW SECTION. **Sec. 21.** A new section is added to chapter 15.36 RCW  
4 to read as follows:

5 Tests performed by an official laboratory or an officially  
6 designated laboratory of a milk sample drawn by a department official  
7 or a licensed dairy technician shall be admitted as prima facie  
8 evidence of a violation in any proceeding to enforce this chapter.

9 **Sec. 22.** RCW 15.36.481 and 1969 ex.s. c 102 s 4 are each amended  
10 to read as follows:

11 The director may bring an action to enjoin the violation of any  
12 provision of this chapter (~~(s 15.36 and 15.38 RCW)~~) or any rule adopted  
13 (~~(thereunder)~~) under this chapter in the superior court of the county  
14 in which the defendant resides or maintains his or her principal place  
15 of business (~~(, notwithstanding any other remedy at law)~~) or Thurston  
16 county.

17 **Sec. 23.** RCW 15.36.491 and 1961 c 11 s 15.32.710 are each amended  
18 to read as follows:

19 All moneys received for licenses (~~(or from the sale of articles~~  
20 ~~confiscated)~~) under this chapter shall be (~~(paid on the first of each~~  
21 ~~month to the state treasurer to be placed)~~) deposited in the general  
22 fund.

23 **Sec. 24.** RCW 15.36.511 and 1961 c 11 s 15.32.730 are each amended  
24 to read as follows:

25 It (~~(shall be)~~) is unlawful for any person to:

26 (1) Interfere with or obstruct any person in the performance of  
27 ((his)) official duties under this chapter;

28 (2) Employ a tester, sampler, weigher, grader, or pasteurizer who  
29 is not licensed as a dairy technician;

30 (3) Alter or tamper with a seal placed by the director; or

31 (4) Alter or tamper with a sample of milk or milk products taken or  
32 sealed by the director.

33 Except as provided under RCW 15.35.131, it is unlawful for a milk  
34 processing plant to accept milk from a person not licensed as a  
35 producer or milk processor.

1        NEW SECTION.    **Sec. 25.**    A new section is added to chapter 15.36 RCW  
2 to read as follows:

3        The department may issue sanitary certificates to milk processing  
4 plants under this chapter subject to such requirements as it may  
5 establish by rule.    The fee for issuance is fifty dollars per  
6 certificate.    Fees collected under this section shall be deposited in  
7 the agricultural local fund.

8        **Sec. 26.**    RCW 15.36.551 and 1995 c 15 s 1 are each amended to read  
9 as follows:

10        There is levied on all milk processed in this state an assessment  
11 not to exceed fifty-four one-hundredths of one cent per hundredweight.  
12 The director shall determine, by rule, an assessment, that with  
13 contribution from the general fund, will support an inspection program  
14 to maintain compliance with the provisions of the pasteurized milk  
15 ordinance of the national conference on interstate milk shipment. All  
16 assessments shall be levied on the operator of the first milk  
17 processing plant receiving the milk for processing. This shall include  
18 milk processing plants that produce their own milk for processing and  
19 milk processing plants that receive milk from other sources. Milk  
20 processing plants whose monthly assessment for receipt of milk totals  
21 less than twenty dollars in any given month are exempted from paying  
22 this assessment for that month. All moneys collected under this  
23 section shall be paid to the director by the twentieth day of the  
24 succeeding month for the previous month's assessments. The director  
25 shall deposit the funds into the dairy inspection account hereby  
26 created within the agricultural local fund established in RCW  
27 43.23.230. The funds shall be used only to provide inspection services  
28 to the dairy industry. If the operator of a milk processing plant  
29 fails to remit any assessments, that sum shall be a lien on any  
30 property owned by him or her, and shall be reported by the director and  
31 collected in the manner and with the same priority over other creditors  
32 as prescribed for the collection of delinquent taxes under chapters  
33 84.60 and 84.64 RCW.

34        This section (~~shall~~) expires June 30, ((2000)) 2005.

35        **Sec. 27.**    RCW 15.36.561 and 1994 c 143 s 507 are each amended to  
36 read as follows:

1 (1) There is created a dairy inspection program advisory committee.  
2 The committee shall consist of ~~((nine))~~ eleven members~~((.~~—The  
3 ~~committee shall be))~~ appointed by the director. The director shall  
4 solicit nominations for members of the committee from ~~((names submitted~~  
5 ~~by))~~ Washington dairy producer organizations ~~((or from handlers of milk~~  
6 ~~products))~~ and milk processors. The committee shall consist of four  
7 members who are producers ~~((of milk))~~ or their representatives, ~~((and))~~  
8 four members who are ~~((handlers))~~ milk processors or their  
9 representatives, ~~((and))~~ one member who ~~((must be))~~ is a ~~((producer-~~  
10 ~~handler))~~ producer processor, one member who is a milk hauler, and one  
11 member who is a milk equipment dealer.

12 (2) The purpose of this advisory committee is to ~~((assist the~~  
13 ~~director by providing recommendations regarding the dairy inspection~~  
14 ~~program, that are consistent with the pasteurized milk ordinance. The~~  
15 ~~advisory committee shall (a) review and evaluate the program including~~  
16 ~~the efficiency of the administration of the program, the adequacy of~~  
17 ~~the level of inspection staff, the ratio of inspectors to number of~~  
18 ~~dairy farm inspections per year, and the ratio of inspectors to~~  
19 ~~management employees; and (b) consider alternatives to the state~~  
20 ~~program, which may include privatization of various elements of the~~  
21 ~~inspection program.~~

22 ~~((3) The committee shall meet as necessary to complete its work.~~  
23 ~~Meetings of the committee are subject to the open public meetings act))~~  
24 advise the director in the administration of the dairy inspection  
25 program and regarding policy issues related to this chapter.

26 (3) The terms of the members of the committee shall be staggered  
27 and the members shall serve a term of three years until their successor  
28 has been appointed and qualified. In the event a committee member  
29 resigns, is disqualified, or vacates a position on the committee for  
30 any reason the vacancy may be filled by the director under the  
31 provisions of this section governing appointments. The director may  
32 remove a member for cause.

33 (4) The committee shall elect one of its members as chair. The  
34 committee shall meet by the call of the director, chair, or a majority  
35 of the committee. Members of the committee shall serve without  
36 compensation.

37 NEW SECTION. Sec. 28. The following acts or parts of acts are  
38 each repealed:

- 1 (1) RCW 15.36.031 and 1994 c 143 s 201, 1989 c 354 s 16, & 1961 c  
2 11 s 15.36.080;
- 3 (2) RCW 15.36.061 and 1994 c 143 s 204, 1991 c 109 s 1, 1989 c 354  
4 s 4, 1983 c 3 s 20, 1963 c 58 s 3, & 1961 c 11 s 15.32.100;
- 5 (3) RCW 15.36.121 and 1995 c 225 s 2, 1994 c 143 s 210, & 1961 c 11  
6 s 15.36.490;
- 7 (4) RCW 15.36.211 and 1994 c 143 s 402 & 1961 c 11 s 15.36.090;
- 8 (5) RCW 15.36.251 and 1994 c 143 s 403, 1989 c 354 s 19, & 1961 c  
9 11 s 15.36.300;
- 10 (6) RCW 15.36.291 and 1961 c 11 s 15.32.460;
- 11 (7) RCW 15.36.301 and 1994 c 143 s 404, 1989 c 354 s 23, & 1961 c  
12 11 s 15.36.520;
- 13 (8) RCW 15.36.311 and 1961 c 11 s 15.36.530;
- 14 (9) RCW 15.36.411 and 1995 c 374 s 5 & 1994 c 143 s 502;
- 15 (10) RCW 15.36.431 and 1995 c 374 s 6, 1994 c 143 s 504, 1963 c 58  
16 s 11, & 1961 c 11 s 15.32.610;
- 17 (11) RCW 15.36.441 and 1995 c 374 s 7, 1994 c 143 s 505, & 1993 c  
18 212 s 1;
- 19 (12) RCW 15.36.461 and 1961 c 11 s 15.32.550;
- 20 (13) RCW 15.36.501 and 1987 c 202 s 173, 1969 ex.s. c 199 s 12, &  
21 1961 c 11 s 15.32.720;
- 22 (14) RCW 15.36.521 and 1989 1st ex.s. c 9 s 236;
- 23 (15) RCW 15.38.001 and 1961 c 11 s 15.38.001;
- 24 (16) RCW 15.38.010 and 1979 c 154 s 21 & 1961 c 11 s 15.38.010;
- 25 (17) RCW 15.38.020 and 1961 c 11 s 15.38.020;
- 26 (18) RCW 15.38.030 and 1961 c 11 s 15.38.030;
- 27 (19) RCW 15.38.040 and 1961 c 11 s 15.38.040;
- 28 (20) RCW 15.38.050 and 1961 c 11 s 15.38.050;
- 29 (21) RCW 15.40.010 and 1961 c 11 s 15.40.010;
- 30 (22) RCW 15.40.030 and 1961 c 11 s 15.40.030;
- 31 (23) RCW 15.40.040 and 1961 c 11 s 15.40.040;
- 32 (24) RCW 15.40.050 and 1961 c 11 s 15.40.050;
- 33 (25) RCW 15.40.900 and 1961 c 11 s 15.40.900;
- 34 (26) RCW 15.41.010 and 1961 c 11 s 15.41.010;
- 35 (27) RCW 15.41.020 and 1961 c 11 s 15.41.020;
- 36 (28) RCW 16.48.120 and 1945 c 161 s 6;
- 37 (29) RCW 16.48.280 and 1949 c 98 s 13;
- 38 (30) RCW 16.48.310 and 1937 c 75 s 16;
- 39 (31) RCW 16.48.311 and 1945 c 161 s 14;

- 1 (32) RCW 16.48.312 and 1949 c 98 s 17;
- 2 (33) RCW 16.48.320 and 1939 c 198 s 6 & 1937 c 75 s 15;
- 3 (34) RCW 16.48.325 and 1949 c 98 s 18;
- 4 (35) RCW 16.49A.010 and 1969 ex.s. c 145 s 1;
- 5 (36) RCW 16.49A.020 and 1969 ex.s. c 145 s 2;
- 6 (37) RCW 16.49A.030 and 1969 ex.s. c 145 s 3;
- 7 (38) RCW 16.49A.040 and 1969 ex.s. c 145 s 4;
- 8 (39) RCW 16.49A.050 and 1969 ex.s. c 145 s 5;
- 9 (40) RCW 16.49A.060 and 1969 ex.s. c 145 s 6;
- 10 (41) RCW 16.49A.070 and 1969 ex.s. c 145 s 7;
- 11 (42) RCW 16.49A.080 and 1969 ex.s. c 145 s 8;
- 12 (43) RCW 16.49A.090 and 1969 ex.s. c 145 s 9;
- 13 (44) RCW 16.49A.100 and 1969 ex.s. c 145 s 10;
- 14 (45) RCW 16.49A.110 and 1969 ex.s. c 145 s 11;
- 15 (46) RCW 16.49A.120 and 1969 ex.s. c 145 s 12;
- 16 (47) RCW 16.49A.130 and 1969 ex.s. c 145 s 13;
- 17 (48) RCW 16.49A.140 and 1969 ex.s. c 145 s 14;
- 18 (49) RCW 16.49A.150 and 1969 ex.s. c 145 s 15;
- 19 (50) RCW 16.49A.160 and 1969 ex.s. c 145 s 16;
- 20 (51) RCW 16.49A.170 and 1969 ex.s. c 145 s 17;
- 21 (52) RCW 16.49A.180 and 1969 ex.s. c 145 s 18;
- 22 (53) RCW 16.49A.190 and 1969 ex.s. c 145 s 19;
- 23 (54) RCW 16.49A.200 and 1969 ex.s. c 145 s 20;
- 24 (55) RCW 16.49A.210 and 1969 ex.s. c 145 s 21;
- 25 (56) RCW 16.49A.220 and 1969 ex.s. c 145 s 22;
- 26 (57) RCW 16.49A.230 and 1969 ex.s. c 145 s 23;
- 27 (58) RCW 16.49A.240 and 1969 ex.s. c 145 s 24;
- 28 (59) RCW 16.49A.250 and 1969 ex.s. c 145 s 25;
- 29 (60) RCW 16.49A.255 and 1969 ex.s. c 145 s 67;
- 30 (61) RCW 16.49A.260 and 1969 ex.s. c 145 s 26;
- 31 (62) RCW 16.49A.270 and 1969 ex.s. c 145 s 27;
- 32 (63) RCW 16.49A.280 and 1969 ex.s. c 145 s 28;
- 33 (64) RCW 16.49A.290 and 1969 ex.s. c 145 s 29;
- 34 (65) RCW 16.49A.300 and 1969 ex.s. c 145 s 30;
- 35 (66) RCW 16.49A.310 and 1969 ex.s. c 145 s 31;
- 36 (67) RCW 16.49A.320 and 1969 ex.s. c 145 s 32;
- 37 (68) RCW 16.49A.330 and 1969 ex.s. c 145 s 33;
- 38 (69) RCW 16.49A.340 and 1969 ex.s. c 145 s 34;
- 39 (70) RCW 16.49A.350 and 1969 ex.s. c 145 s 35;

1 (71) RCW 16.49A.360 and 1969 ex.s. c 145 s 36;  
2 (72) RCW 16.49A.370 and 1971 ex.s. c 98 s 1 & 1969 ex.s. c 145 s  
3 37;  
4 (73) RCW 16.49A.380 and 1969 ex.s. c 145 s 38;  
5 (74) RCW 16.49A.390 and 1969 ex.s. c 145 s 39;  
6 (75) RCW 16.49A.400 and 1969 ex.s. c 145 s 40;  
7 (76) RCW 16.49A.410 and 1969 ex.s. c 145 s 41;  
8 (77) RCW 16.49A.420 and 1969 ex.s. c 145 s 42;  
9 (78) RCW 16.49A.430 and 1969 ex.s. c 145 s 43;  
10 (79) RCW 16.49A.440 and 1969 ex.s. c 145 s 44;  
11 (80) RCW 16.49A.450 and 1969 ex.s. c 145 s 45;  
12 (81) RCW 16.49A.460 and 1969 ex.s. c 145 s 46;  
13 (82) RCW 16.49A.470 and 1969 ex.s. c 145 s 47;  
14 (83) RCW 16.49A.480 and 1969 ex.s. c 145 s 48;  
15 (84) RCW 16.49A.520 and 1969 ex.s. c 145 s 55;  
16 (85) RCW 16.49A.530 and 1969 ex.s. c 145 s 52;  
17 (86) RCW 16.49A.540 and 1969 ex.s. c 145 s 57;  
18 (87) RCW 16.49A.550 and 1969 ex.s. c 145 s 59;  
19 (88) RCW 16.49A.560 and 1971 ex.s. c 108 s 1 & 1969 ex.s. c 145 s  
20 54;  
21 (89) RCW 16.49A.570 and 1971 ex.s. c 108 s 2 & 1969 ex.s. c 145 s  
22 60;  
23 (90) RCW 16.49A.580 and 1969 ex.s. c 145 s 58;  
24 (91) RCW 16.49A.590 and 1969 ex.s. c 145 s 61;  
25 (92) RCW 16.49A.600 and 1993 c 166 s 1, 1971 ex.s. c 108 s 3, &  
26 1969 ex.s. c 145 s 68;  
27 (93) RCW 16.49A.610 and 1969 ex.s. c 145 s 69;  
28 (94) RCW 16.49A.620 and 1969 ex.s. c 145 s 62;  
29 (95) RCW 16.49A.630 and 1969 ex.s. c 145 s 63;  
30 (96) RCW 16.49A.640 and 1969 ex.s. c 145 s 53;  
31 (97) RCW 16.49A.650 and 1969 ex.s. c 145 s 56;  
32 (98) RCW 16.49A.900 and 1969 ex.s. c 145 s 70;  
33 (99) RCW 16.49A.910 and 1969 ex.s. c 145 s 66;  
34 (100) RCW 16.49A.920 and 1969 ex.s. c 145 s 65;  
35 (101) RCW 16.74.010 and 1969 ex.s. c 146 s 1;  
36 (102) RCW 16.74.020 and 1969 ex.s. c 146 s 2;  
37 (103) RCW 16.74.030 and 1969 ex.s. c 146 s 3;  
38 (104) RCW 16.74.040 and 1969 ex.s. c 146 s 4;  
39 (105) RCW 16.74.050 and 1969 ex.s. c 146 s 5;



1 (106) RCW 16.74.060 and 1969 ex.s. c 146 s 6;  
2 (107) RCW 16.74.070 and 1969 ex.s. c 146 s 7;  
3 (108) RCW 16.74.080 and 1969 ex.s. c 146 s 8;  
4 (109) RCW 16.74.090 and 1969 ex.s. c 146 s 9;  
5 (110) RCW 16.74.100 and 1969 ex.s. c 146 s 10;  
6 (111) RCW 16.74.110 and 1969 ex.s. c 146 s 11;  
7 (112) RCW 16.74.120 and 1969 ex.s. c 146 s 12;  
8 (113) RCW 16.74.130 and 1969 ex.s. c 146 s 13;  
9 (114) RCW 16.74.140 and 1969 ex.s. c 146 s 14;  
10 (115) RCW 16.74.150 and 1969 ex.s. c 146 s 15;  
11 (116) RCW 16.74.160 and 1969 ex.s. c 146 s 16;  
12 (117) RCW 16.74.170 and 1969 ex.s. c 146 s 17;  
13 (118) RCW 16.74.180 and 1969 ex.s. c 146 s 18;  
14 (119) RCW 16.74.190 and 1969 ex.s. c 146 s 19;  
15 (120) RCW 16.74.200 and 1969 ex.s. c 146 s 20;  
16 (121) RCW 16.74.210 and 1969 ex.s. c 146 s 21;  
17 (122) RCW 16.74.220 and 1969 ex.s. c 146 s 22;  
18 (123) RCW 16.74.230 and 1969 ex.s. c 146 s 23;  
19 (124) RCW 16.74.240 and 1969 ex.s. c 146 s 24;  
20 (125) RCW 16.74.250 and 1969 ex.s. c 146 s 25;  
21 (126) RCW 16.74.260 and 1969 ex.s. c 146 s 26;  
22 (127) RCW 16.74.270 and 1969 ex.s. c 146 s 27;  
23 (128) RCW 16.74.280 and 1969 ex.s. c 146 s 28;  
24 (129) RCW 16.74.290 and 1969 ex.s. c 146 s 64;  
25 (130) RCW 16.74.300 and 1969 ex.s. c 146 s 29;  
26 (131) RCW 16.74.310 and 1969 ex.s. c 146 s 30;  
27 (132) RCW 16.74.320 and 1969 ex.s. c 146 s 31;  
28 (133) RCW 16.74.330 and 1969 ex.s. c 146 s 32;  
29 (134) RCW 16.74.340 and 1969 ex.s. c 146 s 33;  
30 (135) RCW 16.74.350 and 1969 ex.s. c 146 s 34;  
31 (136) RCW 16.74.360 and 1969 ex.s. c 146 s 35;  
32 (137) RCW 16.74.370 and 1989 c 175 s 56 & 1969 ex.s. c 146 s 36;  
33 (138) RCW 16.74.380 and 1969 ex.s. c 146 s 37;  
34 (139) RCW 16.74.390 and 1969 ex.s. c 146 s 38;  
35 (140) RCW 16.74.400 and 1969 ex.s. c 146 s 39;  
36 (141) RCW 16.74.410 and 1969 ex.s. c 146 s 41;  
37 (142) RCW 16.74.420 and 1969 ex.s. c 146 s 42;  
38 (143) RCW 16.74.430 and 1969 ex.s. c 146 s 40;  
39 (144) RCW 16.74.440 and 1969 ex.s. c 146 s 43;

1 (145) RCW 16.74.450 and 1969 ex.s. c 146 s 44;  
2 (146) RCW 16.74.460 and 1969 ex.s. c 146 s 45;  
3 (147) RCW 16.74.470 and 1969 ex.s. c 146 s 46;  
4 (148) RCW 16.74.480 and 1969 ex.s. c 146 s 47;  
5 (149) RCW 16.74.490 and 1969 ex.s. c 146 s 48;  
6 (150) RCW 16.74.500 and 1969 ex.s. c 146 s 49;  
7 (151) RCW 16.74.510 and 1969 ex.s. c 146 s 50;  
8 (152) RCW 16.74.520 and 1969 ex.s. c 146 s 51;  
9 (153) RCW 16.74.530 and 1969 ex.s. c 146 s 52;  
10 (154) RCW 16.74.540 and 1969 ex.s. c 146 s 53;  
11 (155) RCW 16.74.550 and 1969 ex.s. c 146 s 54;  
12 (156) RCW 16.74.560 and 1969 ex.s. c 146 s 55;  
13 (157) RCW 16.74.570 and 1993 c 166 s 2 & 1969 ex.s. c 146 s 65;  
14 (158) RCW 16.74.580 and 1969 ex.s. c 146 s 66;  
15 (159) RCW 16.74.590 and 1969 ex.s. c 146 s 56;  
16 (160) RCW 16.74.600 and 1969 ex.s. c 146 s 57;  
17 (161) RCW 16.74.610 and 1971 ex.s. c 108 s 4 & 1969 ex.s. c 146 s  
18 58;  
19 (162) RCW 16.74.615 and 1971 ex.s. c 108 s 5;  
20 (163) RCW 16.74.620 and 1969 ex.s. c 146 s 59;  
21 (164) RCW 16.74.630 and 1969 ex.s. c 146 s 60;  
22 (165) RCW 16.74.640 and 1969 ex.s. c 146 s 67;  
23 (166) RCW 16.74.650 and 1994 c 128 s 3 & 1969 ex.s. c 146 s 61;  
24 (167) RCW 16.74.900 and 1969 ex.s. c 146 s 68;  
25 (168) RCW 16.74.910 and 1969 ex.s. c 146 s 63;  
26 (169) RCW 16.74.920 and 1969 ex.s. c 146 s 62;  
27 (170) RCW 19.92.100 and 1983 c 89 s 1, 1955 c 61 s 1, 1937 c 214 s  
28 1, & 1927 c 194 s 10;  
29 (171) RCW 19.92.110 and 1983 c 89 s 2 & 1955 c 61 s 3;  
30 (172) RCW 19.92.120 and 1955 c 61 s 4; and  
31 (173) RCW 19.92.240 and 1890 p 522 s 1.

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