
ENGROSSED SENATE BILL 5187

State of Washington

56th Legislature

1999 Regular Session

By Senator Rasmussen; by request of Department of Agriculture

Read first time 01/15/1999. Referred to Committee on Agriculture & Rural Economic Development.

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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