

6588-S

Sponsor(s): Senate Committee on Agriculture & International Trade  
(originally sponsored by Senators Rasmussen and Swecker)

Brief Description: Requiring exclusive statewide food service rules for food service establishments.

**SB 6588-S.E - DIGEST**

(DIGEST AS PASSED LEGISLATURE)

Declares that, effective December 31, 2004, the state board of health has the sole rule-making authority to adopt food service rules for retail food facilities, and the standards and rules adopted by and interpretations of the state board of health shall be exclusive for food service at retail food facilities.

Declares that this act does not prohibit a local board of health from adopting a temporary deviation from the state food service rules for a limited period of time to respond to an emergency that threatens the public health or safety of the citizens of its community. A temporary deviation shall not be in force for more than one hundred eighty days unless the state board of health grants a further temporary or permanent extension based on demonstrated need.

Requires that, by December 1, 2004, the state board of health shall adopt updated food service rules. Periodically after July 1, 2004, the state board of health shall review and update the rules in consultation with local boards of health and the regulated community.

VETO MESSAGE ON SB 6588-S

April 4, 2002

To the Honorable President and Members,  
The Senate of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 6588 entitled:

"AN ACT Relating to food service rules;"

Substitute Senate Bill No. 6588 would have provided sole rulemaking authority to the State Board of Health for food service rules, and it would have made the state Department of Health the exclusive authority to interpret the rules.

I support the development of a statewide food code that will protect all the citizens of the state, as well as provide more uniform standards for restaurants and other food handlers. However, such an effort must leave enough flexibility for local health jurisdictions to make adjustments to accommodate their unique circumstances. It is not necessary to diminish the existing powers or duties of local health authorities in order to gain a greater level of uniformity across our state.

It is my understanding that the State Board of Health is already working to revise our state's food code. I encourage local health authorities to work with the regulated community and the

state to make sure the new rules provide uniformity wherever practical, and are comprehensive enough to address unique local circumstances. I would like to see a state code that allows for narrow or limited deviations, and can be readily adopted by local jurisdictions.

While this bill attempted to allow a local health board to adopt temporary deviations from the state rules, to respond to emergencies that "threatens the public health or safety," it is unclear what constitutes an emergency for this purpose. This bill is too restrictive of local health authorities.

For these reasons, I have vetoed Engrossed Substitute Senate Bill No. 6588 in its entirety.

Respectfully submitted,  
Gary Locke  
Governor