

FINAL BILL REPORT

ESHB 1754

C 397 L 03

Synopsis as Enacted

Brief Description: Concerning the slaughter, preparation, and sale of certain poultry.

Sponsors: By House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Eickmeyer, Schoesler, Sump, Hunt, Grant, Pettigrew, Haigh, McDermott, Blake, Quall, Rockefeller and Romero).

House Committee on Agriculture & Natural Resources
Senate Committee on Agriculture
Senate Committee on Ways & Means

Background:

State Laws:

Food Processing. Under the state's Food Processing Act (Act), it is unlawful for a person to operate a food processing plant or to process foods without obtaining a license from the Department of Agriculture (WSDA). For this purpose, "food processing" is defined broadly. It is the handling or processing of any food in any manner in preparation for sale for human consumption, but does not mean merely washing or trimming fresh fruit or vegetables that are being prepared or packaged for sale in their natural state.

Other provisions of the Act allow the WSDA to require a person who is processing food for retail sale to be licensed if the person is not subject to a local health permit, license, or inspection. These provisions also expressly allow the WSDA to waive the licensure requirement for a milk processing plant that is licensed under the milk laws in certain circumstances.

Custom Slaughter. The state's custom slaughter laws establish licensing and facility requirements for persons who slaughter and prepare uninspected meat as a service for the owner of the animal or meat. The meat animals covered by these laws are cattle, swine, sheep and goats, and ratites such as ostriches, emus, and rhea.

Federal Poultry Inspection Rules:

Federal rules administered by the Food Safety and Inspection Service of the U. S. Department of Agriculture require the inspection of the processing of poultry products. Exempted from the federal inspection requirement is a poultry producer with respect to

the poultry the producer raised on his or her own farm that is slaughtered by the producer. To qualify for the exemption, the producer cannot slaughter more than 1,000 poultry during a calendar year, the producer must not buy or sell the poultry products of others, and the poultry cannot move in interstate commerce.

Summary:

A special, temporary permit, in lieu of a license, is established under the state's Food Processing Act. It is for the slaughter, preparation, and sale of 1,000 or fewer pastured chickens in a calendar year by the agricultural producer of the chickens for the sale of the whole raw chickens by the producer directly to the ultimate consumer at the producer's farm. The fee for the permit is \$75.

The WSDA must adopt by rule requirements for the permit which must be generally patterned after those established by rules of the State Board of Health for temporary food service establishments, but must be tailored specifically to these activities. The requirements must include those for: cooling procedures, when applicable; sanitary facilities, equipment, and utensils; clean water; washing and other hygienic practices; and waste and wastewater disposal. The rules must also identify the length of time the permit is valid, which must be adequate to accommodate the seasonal nature of the permitted activities. In adopting rules, the WSDA must also carefully consider the economic constraints on the regulated activity.

The WSDA must conduct such inspections of the permitted activities as are reasonably necessary to ensure compliance with permit requirements.

These activities are expressly exempted from the state's custom slaughter laws.

Votes on Final Passage:

House 97 0
Senate 49 0 (Senate amended)
House 98 0 (House concurred)

Effective: July 27, 2003