
SUBSTITUTE SENATE BILL 6596

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Agriculture (originally sponsored by Senators Fraser, Keiser and Thibaudeau)

READ FIRST TIME 02/09/04.

1 AN ACT Relating to adulteration of commercial feed; amending RCW
2 15.53.904; and prescribing penalties.

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

4 **Sec. 1.** RCW 15.53.904 and 1965 ex.s. c 31 s 17 are each amended to
5 read as follows:

6 (1) Any person convicted of violating any of the provisions of this
7 chapter or the rules and regulations issued thereunder or who shall
8 impede, obstruct, hinder, or otherwise prevent or attempt to prevent
9 the department in the performance of its duty in connection with the
10 provisions of this chapter, shall be adjudged guilty of a misdemeanor
11 (~~and shall be fined not less than fifty dollars nor more than one~~
12 ~~hundred dollars for the first violation, and not less than two hundred~~
13 ~~dollars nor more than five hundred dollars for a subsequent violation))
14 as provided in RCW 9A.20.021. In all prosecutions under this chapter
15 involving the composition of a lot of commercial feed, a certified copy
16 of the official analysis signed by the department shall be accepted as
17 prima facie evidence of the composition.~~

18 (2) Any person convicted of intentionally adding any animal protein

1 prohibited in ruminant feed that is unsafe within the meaning of RCW
2 15.53.902(3) and rules adopted thereunder is guilty of a gross
3 misdemeanor as provided in RCW 9A.20.021.

4 (3) Nothing in this chapter shall be construed as requiring the
5 department to report for prosecution or for the institution of seizure
6 proceedings as a result of minor violations of this chapter when it
7 believes that the public interest will be best served by a suitable
8 notice of warning in writing.

9 ~~((+3))~~ (4) It shall be the duty of each prosecuting attorney to
10 whom any violation is reported to cause appropriate proceedings to be
11 instituted and prosecuted in a court of competent jurisdiction without
12 delay. Before the department reports a violation for such prosecution,
13 an opportunity shall be given the distributor to present ~~((his))~~ the
14 distributor's view in writing or orally to the department.

15 ~~((+4))~~ (5) The department is hereby authorized to apply for and
16 the court to grant a temporary or permanent injunction restraining any
17 person from violating or continuing to violate any of the provisions of
18 this chapter or any rule or regulation promulgated under this chapter
19 notwithstanding the existence of other remedies at law. Said
20 injunction to be issued without bond.

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