

SENATE BILL REPORT

HB 1085

As Reported By Senate Committee On:
Agriculture & Rural Economic Development, March 24, 2005

Title: An act relating to milk and milk products.

Brief Description: Regulating the processing of milk and milk products.

Sponsors: Representatives Linville, Kristiansen and Pettigrew; by request of Department of Agriculture.

Brief History: Passed House: 3/03/05, 94-2.

Committee Activity: Agriculture & Rural Economic Development: 3/24/05 [DP].

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Schoesler, Ranking Minority Member; Delvin, Jacobsen and Morton.

Staff: Bob Lee (786-7404)

Background: Under the Milk and Milk Products Act, milk processors must use a mechanical capping method for bottling and capping milk and milk products. This law also requires licensing of facilities that process milk and milk products. The annual license fee is \$25.00. All but the smallest processors must also pay an assessment of 0.54 cents per hundredweight of fluid milk.

Facilities that process food are required to be licensed under The Food Processing Act. This license fee is based on the amount of gross annual sales and ranges from \$55.00 for a small scale food processor to \$825 for the largest category of food processor.

Some operators have been unable to locate and purchase mechanical capping equipment that is appropriate to their operations. Clarification is sought regarding the licensing requirements for facilities that process both milk and milk products and other food products.

Summary of Bill: The annual license fee for a milk and milk products processing plant is increased to \$55.00. A facility that processes milk and milk products as well as food products will continue to pay \$55.00. The assessment on fluid milk is unchanged. A facility that processes only food products will continue to be subject to the existing license fee that is based on gross annual sales. A food processor that also processes milk or milk products will continue to be required to have two licenses but the fee will be waived for the food processing license.

The requirement that bottling and capping of milk products be done by a machine is deleted. The requirement that capping be done in a sanitary manner by means of approved equipment and operation is retained.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For (on companion Senate Bill 5039): Bill will clarify licensing requirements, allow small processors to diversify products, and address current practices that require some hand tightening of large milk caps.

Testimony Against (on companion Senate Bill 5039): None.

Who Testified (on companion Senate Bill 5039): PRO: Leslie Emerick, Department of Agriculture.