

HB 3010-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that chapter 15.36 RCW includes the regulation of raw milk and raw milk products including arrangements known as "cow shares" in which one or more individuals purchase one or more shares in a milk-producing animal in return for a portion of the milk that is produced.

Finds that the agencies charged with protecting public health and safety need to have strong enforcement mechanisms and be able to respond rapidly, comprehensively, and effectively. It is not the intent of this act to prohibit either the sale of raw milk or cow share or similar arrangements by producers and processors who are properly licensed under chapter 15.36 RCW.

Declares that it is unlawful for any person to sell raw milk from a dairy farm that is not licensed as a milk producer or a milk processing plant under chapter 15.36 RCW.

Declares that the sale of raw milk from a dairy farm that is not licensed as a milk producer and a milk processing plant under this act constitutes: (1) For the first offense, a gross misdemeanor; and

(2) For the second and subsequent offenses, a class C felony punishable according to chapter 9A.20 RCW.

Declares that neither the issuance of a cease and desist order nor payment of a civil penalty relieves the person so selling raw milk from criminal prosecution, but the remedy of a cease and desist order or civil penalty is in addition to any criminal liability.

Requires the department of agriculture to convene a work group to research, discuss, and make recommendations for establishment of a "microdairy" licensing category.

Requires the department and members of the work group to report their findings and recommendations to the appropriate house of representatives and senate standing committees by September 2006.