

SB 5631 - H AMD TO AGNR COMM AMD (H-2262.1/11) 479
By Representative Taylor

NOT CONSIDERED 04/22/2011

1 On page 75, after line 9 of the amendment, insert the following:

2 NEW SECTION. **Sec. 59.** (1) It is the intent of the legislature to
3 establish an intrastate meat inspection program in order to encourage
4 economic investment in the state's livestock industry and promote
5 economic development within our communities.

6 (2) This chapter applies only to livestock produced in Washington
7 and the meat food animal and meat food bird products produced and
8 consumed from this livestock in Washington.

9 NEW SECTION. **Sec. 60.** The definitions in this section apply
10 throughout this chapter unless the context clearly requires otherwise.

11 (1) "Custom meat facility" means a facility operated by a person
12 under this chapter licensed to prepare meat food animals and meat food
13 birds for intrastate consumption in Washington. This chapter does not
14 prohibit the operator of a custom meat facility from being licensed to
15 prepare and sell inspected meat out-of-state.

16 (2) "Department" means the Washington state department of
17 agriculture.

18 (3) "Director" means the director of the department or the
19 director's designee.

20 (4) "License" means an annual authorization from the director
21 issued under this chapter that allows the holder to operate a custom
22 meat facility.

23 (5) "Meat food animal" includes the following animal
24 classifications: Bovine, porcine, ovine, equine, or hircine.

25 (6) "Meat food bird" includes a ratite, such as an ostrich, emu,
26 rhea, chickens, ducks, geese, and similar birds.

27 (7) "Official establishment" means an establishment operated for
28 the purpose of preparing meat for human consumption in compliance with
29 chapter 16.49 RCW.

1 (8) "Prepared" means smoked, salted, rendered, boned, cut up, or
2 otherwise processed.

3 (9) "Uninspected meat" means the carcasses or carcass parts of meat
4 food animals that have been slaughtered by the owner of the animals.

5 (10) "Washington inspected meat" means the carcasses or carcass
6 parts of meat food animals that have been inspected at establishments
7 subject to inspection under chapter 16.49 RCW.

8 NEW SECTION. **Sec. 61.** The director shall enforce and carry out
9 the provisions of this chapter and adopt rules necessary to carry out
10 its purpose. The rules may include, but are not limited to:

11 (1) Requirements for construction, equipment, cleaning, sanitation,
12 and sanitary practices to ensure sanitary operations;

13 (2) Requirements for identification or tagging of meat food animals
14 slaughtered by licensees to maintain identification of the animal;

15 (3) Requirements for handling and storing meats and meat products;

16 (4) Requirements for labeling meat and meat products; and

17 (5) Requirements for slaughtering and processing of meat food birds
18 by licensees.

19 NEW SECTION. **Sec. 62.** (1) It is unlawful for any person to
20 operate a custom meat facility in the state without first obtaining a
21 license from the director. Custom farm slaughterers must obtain a
22 separate license for each mobile unit.

23 (2) Application for a license must be made on a form prescribed by
24 the director and accompanied by a license fee as provided in section 63
25 of this act. The application must include:

26 (a) The full name and address of the applicant. If the applicant
27 is a partnership or corporation, the application must include the full
28 name and address of each partner or officer;

29 (b) The physical location address of each establishment or facility
30 to be licensed;

31 (c) The name and address of a resident of this state authorized to
32 accept legal notices for the applicant; and

33 (d) Any other information prescribed by the director.

34 (3) Initial issuance of a license requires a prelicense inspection
35 by the director for compliance with this chapter and rules adopted

1 under this chapter. A license may only be issued after an applicant is
2 found to be in substantial compliance with this chapter and rules
3 adopted under this chapter.

4 (4) Licenses issued under this chapter expire June 30th of each
5 year.

6 (5) Licenses issued under this chapter are not transferrable.

7 NEW SECTION. **Sec. 63.** (1) The department is specifically
8 authorized and directed to determine the annual fee for the license
9 available under this chapter. The license fee amount must be set at
10 the minimum necessary amount per license applicant to fully reimburse
11 the department for any expenses incurred in the implementation of this
12 chapter. In developing a fee schedule, the department may consider
13 license application fees, annual renewal fees, and late fees.

14 (2) The department is authorized to adjust the fees developed under
15 this section as necessary to reflect changing department costs or an
16 increase or decrease in the number of licenses purchased.

17 NEW SECTION. **Sec. 64.** To determine compliance with this chapter
18 and the rules adopted under this chapter, the director may inspect the
19 mobile unit of any custom farm slaughterer or custom meat facility at
20 any reasonable time.

21 NEW SECTION. **Sec. 65.** Inspected meat and meat products prepared
22 for public sale must be kept separated from meat and meat products
23 prepared for private individuals.

24 NEW SECTION. **Sec. 66.** It is unlawful for any person to interfere
25 with the director in the performance of the director's duties under
26 this chapter or the rules adopted under this chapter.

27 NEW SECTION. **Sec. 67.** The director may investigate any violation
28 or possible violation of this chapter or any rule adopted under this
29 chapter. To assist in such an investigation, the director may issue
30 subpoenas to compel the attendance of witnesses or to compel production
31 of records or documents anywhere in the state.

1 NEW SECTION. **Sec. 68.** (1) The director may deny, suspend, or
2 revoke any license required under this chapter if the director
3 determines that an applicant or licensee has committed any of the
4 following acts:

5 (a) Refused, neglected, or failed to comply with the provisions of
6 this chapter, the rules adopted under this chapter, or any lawful order
7 of the director;

8 (b) Refused, neglected, or failed to keep and maintain records
9 required under this chapter or rules adopted under this chapter to make
10 the records available to the director on request; or

11 (c) Refused the director access to any facilities or parts of the
12 facilities for the purpose of carrying out the provisions of this
13 chapter or rules adopted under this chapter.

14 (2) Upon receipt of notice by the director to deny, suspend, or
15 revoke a license, a person may request a hearing under chapter 34.05
16 RCW.

17 NEW SECTION. **Sec. 69.** Any person who fails to comply with this
18 chapter or the rules adopted under this chapter may be subject to a
19 civil penalty in an amount of not more than one thousand dollars per
20 violation per day. Each violation is a separate and distinct offense.

21 All moneys collected for civil penalties under this chapter must be
22 deposited in the meat inspection account, created in section 70 of this
23 act, to be used solely for implementation of this chapter.

24 NEW SECTION. **Sec. 70.** The meat inspection account is created in
25 the custody of the state treasurer. All receipts from section 69 of
26 this act must be deposited into the account. Expenditures from the
27 account may be used only for the purposes of implementing this chapter.
28 Only the director or the director's designee may authorize expenditures
29 from the account. The account is subject to allotment procedures under
30 chapter 43.88 RCW, but an appropriation is not required for
31 expenditures.

32 NEW SECTION. **Sec. 71.** Chapter 34.05 RCW governs the rights,
33 remedies, and procedures respecting the administration of this chapter,
34 including rule making, assessment of civil penalties, emergency
35 actions, and license suspension, revocation, or denial.

1 NEW SECTION. **Sec. 72.** Any federal law, rule, order, or other act
2 by the federal government violating the provisions of this chapter is
3 hereby declared to be invalid in this state, is not recognized by and
4 is specifically rejected by this state, and is considered as null and
5 void and of no effect in this state.

6 NEW SECTION. **Sec. 73.** The provisions of this chapter relating to
7 the sale of inspected meat in custom meat facilities do not supersede
8 or restrict the authority of any county or any city to adopt ordinances
9 that are more restrictive for the handling and sale of inspected meat
10 than those provided in this chapter.

11 NEW SECTION. **Sec. 74.** Sections 59 through 73 of this act
12 constitute a new chapter in Title 16 RCW."

13 Renumber the remaining sections consecutively and correct any
14 internal references accordingly.

EFFECT: Creates a state meat inspection program managed by the
department of agriculture that allows for the preparation of meat food
birds (ostriches, emus, rheas, chickens, and other birds) and meat food
animals (the following categories of mammals: Bovine, porcine, ovine,
equine, or hircine); creates a state meat inspection license with a fee
set to fully reimburse the department of agriculture for all expenses;
provides rule making, inspection, subpoena, and civil infraction
authority to the department of agriculture; and creates the meat
inspection account.

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