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**SUBSTITUTE HOUSE BILL 1200**

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**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** House Agriculture & Natural Resources (originally sponsored by Representatives Taylor, Warnick, Short, Kretz, Chandler, Armstrong, and McCune)

READ FIRST TIME 02/09/11.

1           AN ACT Relating to establishing a state meat inspection program;  
2 adding a new chapter to Title 16 RCW; and prescribing penalties.

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

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

8           NEW SECTION.   **Sec. 2.** This chapter applies only to livestock  
9 produced in Washington and the meat food animal and meat food bird  
10 products produced and consumed from this livestock in Washington.

11           NEW SECTION.   **Sec. 3.** The definitions in this section apply  
12 throughout this chapter unless the context clearly requires otherwise.

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

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

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

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

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

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

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

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

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

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

22 NEW SECTION. **Sec. 4.** The director shall enforce and carry out the  
23 provisions of this chapter and adopt rules necessary to carry out its  
24 purpose. The rules may include, but are not limited to:

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

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

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

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

31 (5) Requirements for slaughtering and processing of meat food birds  
32 by licensees.

33 NEW SECTION. **Sec. 5.** (1) It is unlawful for any person to operate  
34 a custom meat facility in the state without first obtaining a license  
35 from the director. Custom farm slaughterers must obtain a separate  
36 license for each mobile unit.

1 (2) Application for a license must be made on a form prescribed by  
2 the director and accompanied by a license fee as provided in section 6  
3 of this act. The application must include:

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

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

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

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

12 (3) Initial issuance of a license requires a prelicense inspection  
13 by the director for compliance with this chapter and rules adopted  
14 under this chapter. A license may only be issued after an applicant is  
15 found to be in substantial compliance with this chapter and rules  
16 adopted under this chapter.

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

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

20 NEW SECTION. **Sec. 6.** (1) The department is specifically  
21 authorized and directed to determine the annual fee for the license  
22 available under this chapter. The license fee amount must be set at  
23 the minimum necessary amount per license applicant to fully reimburse  
24 the department for any expenses incurred in the implementation of this  
25 chapter. In developing a fee schedule, the department may consider  
26 license application fees, annual renewal fees, and late fees.

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

30 NEW SECTION. **Sec. 7.** To determine compliance with this chapter  
31 and the rules adopted under this chapter, the director may inspect the  
32 mobile unit of any custom farm slaughterer or custom meat facility at  
33 any reasonable time.

34 NEW SECTION. **Sec. 8.** Inspected meat and meat products prepared

1 for public sale must be kept separated from meat and meat products  
2 prepared for private individuals.

3 NEW SECTION. **Sec. 9.** It is unlawful for any person to interfere  
4 with the director in the performance of the director's duties under  
5 this chapter or the rules adopted under this chapter.

6 NEW SECTION. **Sec. 10.** The director may investigate any violation  
7 or possible violation of this chapter or any rule adopted under this  
8 chapter. To assist in such an investigation, the director may issue  
9 subpoenas to compel the attendance of witnesses or to compel production  
10 of records or documents anywhere in the state.

11 NEW SECTION. **Sec. 11.** (1) The director may deny, suspend, or  
12 revoke any license required under this chapter if the director  
13 determines that an applicant or licensee has committed any of the  
14 following acts:

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

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

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

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

27 NEW SECTION. **Sec. 12.** Any person who fails to comply with this  
28 chapter or the rules adopted under this chapter may be subject to a  
29 civil penalty in an amount of not more than one thousand dollars per  
30 violation per day. Each violation is a separate and distinct offense.

31 All moneys collected for civil penalties under this chapter must be  
32 deposited in the meat inspection account, created in section 13 of this  
33 act, to be used solely for implementation of this chapter.

1        NEW SECTION.    **Sec. 13.**    The meat inspection account is created in  
2 the custody of the state treasurer. All receipts from section 12 of  
3 this act must be deposited into the account. Expenditures from the  
4 account may be used only for the purposes of implementing this chapter.  
5 Only the director or the director's designee may authorize expenditures  
6 from the account. The account is subject to allotment procedures under  
7 chapter 43.88 RCW, but an appropriation is not required for  
8 expenditures.

9        NEW SECTION.    **Sec. 14.**    Chapter 34.05 RCW governs the rights,  
10 remedies, and procedures respecting the administration of this chapter,  
11 including rule making, assessment of civil penalties, emergency  
12 actions, and license suspension, revocation, or denial.

13        NEW SECTION.    **Sec. 15.**    Any federal law, rule, order, or other act  
14 by the federal government violating the provisions of this chapter is  
15 hereby declared to be invalid in this state, is not recognized by and  
16 is specifically rejected by this state, and is considered as null and  
17 void and of no effect in this state.

18        NEW SECTION.    **Sec. 16.**    The provisions of this chapter relating to  
19 the sale of inspected meat in custom meat facilities do not supersede  
20 or restrict the authority of any county or any city to adopt ordinances  
21 that are more restrictive for the handling and sale of inspected meat  
22 than those provided in this chapter.

23        NEW SECTION.    **Sec. 17.**    Sections 1 through 16 of this act  
24 constitute a new chapter in Title 16 RCW.

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