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HOUSE BILL 2744

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State of Washington                      64th Legislature                      2016 Regular Session

By Representatives Santos, Ryu, Gregerson, and Stanford

Read first time 01/20/16. Referred to Committee on Health Care & Wellness.

1            AN ACT Relating to cultural foods; amending RCW 43.20.145; and  
2            creating a new section.

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

4            NEW SECTION.    **Sec. 1.**    (1) The legislature finds that Asian rice-  
5            based noodles and Korean rice cakes are cultural foods that possess  
6            different time-temperature safety standards from other foods sold for  
7            human consumption. The legislature finds that Asian rice-based  
8            noodles kept at room temperature are safe for consumption within four  
9            hours of the time that the product first comes out of hot holding at  
10           temperatures at or above one hundred thirty-five degrees, or when the  
11           product has a pH of 4.6 or below, a water activity of 0.85 or below,  
12           or has been determined by the department to not be a potentially  
13           hazardous food based on formulation and supporting laboratory  
14           documentation submitted to the department of health by the  
15           manufacturer. Further, the legislature finds that Korean rice cakes  
16           are safe for consumption within one day of manufacture.

17           (2)(a) This act is intended to direct the state board of health  
18           to consider new standards for time-temperature requirements of Asian  
19           rice-based noodles and Korean rice cakes intended for human  
20           consumption. Further, this act is intended to direct the state board  
21           of health to consider laws enacted by other states regarding

1 standards for time-temperature and manufacturer package labeling  
2 requirements of Asian rice-based noodles and Korean rice cakes.

3 (b) The legislature does not intend to create a private right of  
4 action or claim on the part of any individual, entity, or agency  
5 against the state board of health, any contractor of the state board  
6 of health, or the department of health.

7 **Sec. 2.** RCW 43.20.145 and 2003 c 65 s 2 are each amended to read  
8 as follows:

9 (1) The state board shall consider the most recent version of the  
10 United States food and drug administration's food code for the  
11 purpose of adopting rules for food service.

12 (2)(a) In considering the adoption of rules for food service, the  
13 state board shall consider scientific data regarding time-temperature  
14 safety standards for Asian rice-based noodles and Korean rice cakes.

15 (b) For the purposes of this subsection (2):

16 (i) "Asian rice-based noodles" means a rice-based pasta that  
17 contains rice powder, water, wheat starch, vegetable cooking oil, and  
18 optional ingredients to modify the pH or water activity, or to  
19 provide a preservative effect. The ingredients do not include  
20 products derived from animals. The rice-based pasta is prepared by  
21 using a traditional method that includes cooking by steaming at not  
22 less than one hundred thirty degrees Fahrenheit, for not less than  
23 four minutes.

24 (ii) "Korean rice cake" means a confection that contains rice  
25 powder, salt, sugar, various edible seeds, oil, dried beans, nuts,  
26 dried fruits, and dried pumpkin. The ingredients do not include  
27 products derived from animals. The confection is prepared by using a  
28 traditional method that includes cooking by steaming at not less than  
29 two hundred seventy-five degrees Fahrenheit, for not less than five  
30 minutes, nor more than fifteen minutes.

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