
**Rural Development, Agriculture, &
Natural Resources Committee**

HB 2696

Brief Description: Concerning the misbranding of meat and poultry products.

Sponsors: Representatives Dent, Blake, McCaslin, Callan, Eslick, Springer, Griffey, Boehnke, Maycumber, Dye, Chandler, Kretz and Schmick.

Brief Summary of Bill

- Provides that a food is considered misbranded if it is a meat analogue product with labeling that uses an identifiable meat term and does not contain certain disclaimers identifying the product as either imitation or not containing meat.

Hearing Date: 1/29/20

Staff: Rebecca Lewis (786-7339).

Background:

The Washington State Department of Agriculture (WSDA) Food Safety Program provides professional technical assistance, food safety public health inspections, licensing services, and food recall assistance for:

- food processors;
- dairy farms and milk producers;
- milk processors;
- food warehouses;
- pastured chicken slaughterers;
- egg handlers and dealers;
- food storage lockers;
- custom meat operations; and
- food companies that are not handled by local county health official jurisdictions.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Food businesses licensed by the state of Washington to produce, warehouse, process, market, sell, and distribute product are required to follow the safe food production, management and handling practice specified in the Washington Food, Drug, and Cosmetic Act and other applicable federal and state food safety laws and regulations depending on the type of activity the food business performs.

A person may not:

- cause or intend to cause misbranded food in intrastate commerce;
- sell, process, or store misbranded food in intrastate commerce; or
- receive, for the purpose of sale in intrastate commerce, food known to be misbranded.

Food is misbranded if it would be considered misbranding under the Federal Food, Drug, and Cosmetic Act, falsely represents its place or origin, or is not labeled and packaged in accordance with WSDA rules. Under federal law, labels on imitation foods must contain the word "imitation" immediately preceding the name of the food imitated in the same font, style, and size. The WSDA may impose civil or criminal penalties for misbranding violations.

Summary of Bill:

A meat analogue product is considered misbranded under the Washington Food, Drug, and Cosmetic Act if its labeling uses an identifiable meat term and does not contain a disclaimer in the same font, style, and size stating, "this product does not contain meat," or is not labeled with the word "imitation" consistent with federal labeling requirements. If a person violates this provision, WSDA may impose civil or criminal penalties under the existing provisions that prohibit the misbranding of products in intrastate commerce.

"Identifiable meat term" includes, but is not limited to, terms such as meat, beef, pork, poultry, chicken, turkey, lamb, goat, jerky, steak, hamburger, burger, ribs, roast, bacon, bratwurst, hot dog, ham, sausage, tenderloin, wings, breast, and other terms for food that contain any meat, meat food product, poultry product, or poultry food product.

A severability clause is included.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.