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**HOUSE BILL 1102**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Representatives Walsh, Shewmake, and Dent

Prefiled 01/07/21. Read first time 01/11/21. Referred to Committee on Rural Development, Agriculture & Natural Resources.

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.** The legislature finds that the novel  
5 coronavirus, or COVID-19, pandemic has had a profound impact on many  
6 aspects of life in Washington state and beyond, including in the  
7 agriculture and food processing sector. Worker illnesses at farms,  
8 orchards, and food processing plants have led to fears of  
9 interruptions in the food supply chain and higher prices for food  
10 products. Temporary closures of several meat processing facilities in  
11 Washington due to worker illnesses have caused concern about the  
12 availability and price of meat locally.

13 The legislature further finds that the lack of adequate federal  
14 meat inspection facilities makes it difficult for rural and small-  
15 scale livestock producers to legally sell their meat.

16 Therefore, it is the intent of the legislature to establish an  
17 intrastate meat inspection program in order to encourage economic  
18 investment in the state's livestock industry, promote economic  
19 development within our communities, and ensure the resiliency of the  
20 state's food supply by providing safe access to locally produced  
21 meat.

1        NEW SECTION.    **Sec. 2.**    The definitions in this section apply  
2 throughout this chapter unless the context clearly requires  
3 otherwise.

4        (1) "Custom meat facility" means a facility operated by a person  
5 under this chapter licensed to prepare meat food animals and meat  
6 food birds for intrastate consumption in Washington.

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

9        (3) "License" means an annual authorization from the department  
10 issued under this chapter that allows the holder to operate a custom  
11 meat facility.

12        (4) "Meat food animal" includes the following animal  
13 classifications: Bovine, porcine, ovine, or hircine.

14        (5) "Meat food bird" includes chickens, ducks, geese, ratites  
15 such as ostriches, emus, and rheas, and similar birds.

16        (6) "Official establishment" means an establishment operated for  
17 the purpose of preparing meat for human consumption in compliance  
18 with chapter 16.49 RCW.

19        (7) "Prepared" means smoked, salted, rendered, boned, cut, or  
20 otherwise processed.

21        (8) "Uninspected meat" means the carcasses or carcass parts of  
22 meat food animals or meat food birds that have been slaughtered by  
23 the owner of the animals or birds.

24        (9) "Washington inspected meat" means the carcasses or carcass  
25 parts of meat food animals or meat food birds that have been  
26 inspected at establishments subject to inspection under chapter 16.49  
27 RCW.

28        NEW SECTION.    **Sec. 3.**    (1) The department shall make available an  
29 annual custom meat license that allows the holder to operate a custom  
30 meat facility. Custom farm slaughterers must obtain a separate  
31 license for each mobile unit.

32        (2) Application for a license or a license renewal must be made  
33 on a form prescribed by the department and accompanied by a \$25.00  
34 license fee. The application must include:

35        (a) The full name and address of the applicant, and if the  
36 applicant is a partnership or corporation, the full name and address  
37 of each partner or officer;

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

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

3 (d) Any other information prescribed by the department.

4 (3) Initial issuance of a license requires a prelicense  
5 inspection by the department for compliance with this chapter and  
6 rules adopted under this chapter. A license may only be issued after  
7 an applicant is found to be in substantial compliance with this  
8 chapter and rules adopted under this chapter.

9 (4) Unless designated otherwise by the department, licenses  
10 issued under this chapter expire June 30th of each year.

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

12 (6) All license fees collected under this section must be  
13 deposited in the meat inspection account created in section 9 of this  
14 act.

15 NEW SECTION. **Sec. 4.** The department shall enforce and carry out  
16 the provisions of this chapter and may adopt rules necessary to carry  
17 out its purpose. Rules adopted under this chapter may include, but  
18 are not limited to:

19 (1) Requirements for construction, equipment, cleaning,  
20 sanitation, and sanitary practices related to a custom meat facility  
21 to ensure sanitary operations;

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

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

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

28 (5) Requirements for slaughtering and processing meat food birds  
29 by licensees.

30 NEW SECTION. **Sec. 5.** Inspected meat and meat products prepared  
31 for public sale must be kept separated from meat and meat products  
32 prepared for private individuals.

33 NEW SECTION. **Sec. 6.** (1) The department may investigate any  
34 violation or possible violation of this chapter or any rule adopted  
35 under this chapter. To assist in such an investigation, the  
36 department may issue subpoenas to compel the attendance of witnesses

1 or to compel production of records or documents anywhere in the  
2 state.

3 (2) The department may also inspect the mobile unit of any custom  
4 farm slaughterer or custom meat facility at any reasonable time to  
5 determine compliance with this chapter and the rules adopted under  
6 this chapter.

7 NEW SECTION. **Sec. 7.** (1) The department may deny, suspend, or  
8 revoke any license required under this chapter if the department  
9 determines that an applicant or licensee has committed any of the  
10 following acts:

11 (a) Refused, neglected, or failed to comply with the provisions  
12 of this chapter, the rules adopted under this chapter, or any lawful  
13 order of the department;

14 (b) Refused, neglected, or failed to keep and maintain records  
15 required under this chapter, or rules adopted under this chapter, or  
16 to make the records available to the department on request; or

17 (c) Refused the department access to any custom meat facilities  
18 or parts of the facilities for the purpose of carrying out the  
19 provisions of this chapter or rules adopted under this chapter.

20 (2) A person may request a hearing under chapter 34.05 RCW upon  
21 receipt of notice by the department to deny, suspend, or revoke a  
22 license.

23 NEW SECTION. **Sec. 8.** (1) It is unlawful for any person to:

24 (a) Operate a custom meat facility in this state without first  
25 obtaining a license from the department under this chapter; and

26 (b) Interfere with the department in the performance of the  
27 department's duties under this chapter or the rules adopted under  
28 this chapter.

29 (2) Any person who fails to comply with this chapter or the rules  
30 adopted under this chapter may be subject to a civil penalty in an  
31 amount of not more than \$1,000 per violation per day. Each violation  
32 is a separate and distinct offense.

33 (3) All moneys collected for civil penalties under this chapter  
34 must be deposited in the meat inspection account, created in section  
35 9 of this act, to be used solely for the implementation of this  
36 chapter.

1        NEW SECTION.    **Sec. 9.**    The meat inspection account is created in  
2 the custody of the state treasurer. All receipts from sections 3 and  
3 8 of this act must be deposited into the account. Expenditures from  
4 the account may be used only for the purposes of implementing this  
5 chapter. Only the director of the department or the director's  
6 designee may authorize expenditures from the account. The account is  
7 subject to allotment procedures under chapter 43.88 RCW, but an  
8 appropriation is not required for expenditures.

9        NEW SECTION.    **Sec. 10.**    (1) This chapter applies only to  
10 livestock produced in Washington and the meat food animal products  
11 and meat food bird products produced and consumed from Washington-  
12 produced livestock.

13        (2) Nothing in this chapter prohibits the operator of a custom  
14 meat facility from also being licensed to prepare and sell inspected  
15 meat out-of-state.

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

20        NEW SECTION.    **Sec. 12.**    Any federal law, rule, order, or other  
21 act by the federal government violating the provisions of this  
22 chapter is hereby declared to be invalid in this state, is not  
23 recognized by and is specifically rejected by this state, and is  
24 considered as null and void and of no effect in this state.

25        NEW SECTION.    **Sec. 13.**    The provisions of this chapter relating  
26 to the sale of inspected meat in custom meat facilities do not  
27 supersede or restrict the authority of any county or any city to  
28 adopt ordinances that are more restrictive for the handling and sale  
29 of inspected meat than those provided in this chapter.

30        NEW SECTION.    **Sec. 14.**    Sections 1 through 13 of this act  
31 constitute a new chapter in Title 16 RCW.

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