
SENATE BILL 5778

State of Washington

69th Legislature

2025 Regular Session

By Senators Shewmake, Short, Chapman, Lovick, Krishnadasan, Wellman, Saldaña, Schoesler, Muzzall, Warnick, Wagoner, Lias, Robinson, and Slatter

Read first time 02/25/25. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to maple syrup processing operations; adding a
2 new chapter to Title 69 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that the bigleaf
5 maple is the tallest species of maple in North America, native to the
6 Pacific Northwest, a distinctive and attractive species of tree, and
7 a key part of Washington's forest ecosystems.

8 (2) The legislature further finds that bigleaf maple sap can be
9 processed into maple syrup, with significant value added potential.
10 Bigleaf maple syrup has a unique and desirable flavor profile that
11 reflects the nuances of the trees' environment. On average, between
12 60 and 90 gallons of bigleaf maple sap are required to make one
13 gallon of bigleaf maple syrup.

14 (3) The legislature further finds that it is impractical to use a
15 commercial kitchen to process maple syrup. The high volume of sap
16 needed as an input makes it impractical to transport the sap for
17 processing, and the large quantity of steam produced during syrup
18 production can be problematic in a nonspecialized kitchen. For these
19 reasons, maple syrup production is typically done in an on-site,
20 specialized facility known as a sugar shack.

1 (4) The legislature further finds that much of Washington's
2 forestland well-suited to commercial sugaring is located in remote
3 areas that lack utilities such as water, sewer, septic, and
4 electrical systems and are not well-suited to the requirements of the
5 food processor license.

6 (5) The legislature further finds that the United States food and
7 drug administration considers the process of making maple syrup to be
8 low risk. Maple syrup must be extensively boiled and is bottled at
9 temperatures between 180 and 200 degrees, inherently controlling
10 foodborne pathogens.

11 (6) It is, therefore, the intent of the legislature to create a
12 maple syrup processing license that responds to maple syrup's unique
13 production circumstances, supports the production of this unique
14 regional commodity, and provides an economic incentive for leaving
15 land forested.

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

19 (1) "Department" means the department of agriculture.

20 (2) "Director" means the director of the department.

21 (3) "Maple sap" means the sap or sweet water obtained by tapping
22 a maple tree.

23 (4) "Maple syrup" means syrup made exclusively by the evaporation
24 of pure maple sap. This does not include value added products such as
25 flavored syrup, maple candies, bottling other businesses' syrup,
26 known as co-manufacturing, or the processing of other food products
27 where maple syrup is an added ingredient.

28 (5) "Maple syrup processing operation" means a person or business
29 that produces maple syrup for sale, and includes the collection of
30 maple sap, the processing of maple sap into maple syrup, and all
31 related facilities, equipment, and employees.

32 (6) "Permeate" means the clean water that is produced during the
33 reverse osmosis process and that may be taken directly from the
34 evaporator.

35 (7) "Sugar shack" means a structure used, in whole or in part,
36 for the collection, storage, or processing of maple sap into maple
37 syrup. A sugar shack does not include a domestic residence. A sugar
38 shack need not be a permanent structure, but the permittee must be
39 able to ensure sanitary conditions in the processing area.

1 NEW SECTION. **Sec. 3.** (1) The department may adopt, by rule,
2 requirements for maple syrup processing operations. These
3 requirements may include, but are not limited to:

4 (a) The application and renewal of permits under section 4 of
5 this act;

6 (b) Inspections as provided under section 5 of this act;

7 (c) Sanitary procedures;

8 (d) Facility, equipment, and utensil requirements beyond the
9 requirements of this section;

10 (e) Condensation removal during the evaporation process;

11 (f) Labeling to follow the United States food and drug
12 administration labeling requirements for packaged food;

13 (g) Washing and other hygienic practices; and

14 (h) Clean water sources and waste and wastewater disposal,
15 provided that:

16 (i) The department may not require plumbing or running water to
17 be accessible on-site or installed in the sugar shack;

18 (ii) Water that is obtained from a private source shall be tested
19 no less than annually; and

20 (iii) Operations with less than \$50,000 in annual gross sales
21 that bottle syrup only and use hot water drawn from the evaporator
22 for equipment sanitizing are exempt from water testing.

23 (2) The department may not require a maple syrup processing
24 operation to use a permanent structure as a sugar shack.

25 (3) A maple syrup food processing operation must:

26 (a) Use food-grade materials for pipeline tubing and ensure that
27 any vessels used to transport or store water, maple sap, or maple
28 syrup are made of food-grade materials;

29 (b) Ensure that evaporator pans, buckets, tanks, and other food
30 processing equipment may not be made with solder containing lead in
31 any quantity or other materials that are not suitable or appropriate
32 for use as food contact surfaces;

33 (c) Use only new single-use containers and lids to bottle the
34 finished product;

35 (d) Maintain the grounds outside the sugar shack such that they
36 are reasonably clean and free of clutter that may constitute a
37 breeding and harborage site for rodents;

38 (e) Maintain adequate drainage to avoid contamination; and

39 (f) Design and maintain the sugar shack to facilitate proper
40 maintenance, sanitary operations, and production of safe food.

1 NEW SECTION. **Sec. 4.** (1) All maple syrup processing operations
2 must be permitted every two years by the department on forms
3 developed by the department. All permits and permit renewals must be
4 made on forms developed by the department and be accompanied by a fee
5 of \$250. All fees must be deposited into the food processing
6 inspection account created in RCW 69.07.120.

7 (2) In addition to the provision of any information required by
8 the department on forms developed under subsection (1) of this
9 section and the payment of all fees, an applicant for a permit or a
10 permit renewal as a maple syrup processing operation must also
11 provide documentation that all individuals involved in the
12 preparation of maple syrup have secured appropriate food safety
13 training, which will include a food and beverage service worker's
14 permit under chapter 69.06 RCW or its equivalent.

15 NEW SECTION. **Sec. 5.** (1) The maple syrup processing operation
16 must meet appropriate sanitation controls determined by the
17 department both before initial permitting and thereafter at a
18 frequency designated for low-risk food products by the department. In
19 addition, the department may inspect the sugar shack and maple syrup
20 processing operation at any time in response to a food complaint,
21 foodborne outbreak, or other public health emergency.

22 (2) When conducting the sanitary inspection, the department
23 shall, at a minimum, inspect for the following:

24 (a) That the permitted maple syrup processor understands that no
25 person other than the permittee, or a person under the direct
26 supervision of the permittee, may be engaged in the processing,
27 packaging, or handling of maple syrup;

28 (b) That all food contact surfaces, equipment, and utensils used
29 for the preparation, packaging, or handling of maple sap or maple
30 syrup are appropriately cleaned and sanitized as frequently as
31 necessary;

32 (c) That all food preparation and food and equipment storage
33 areas are maintained free of contamination sources, including rodents
34 and insects;

35 (d) That all persons involved in the preparation and packaging of
36 maple syrup:

37 (i) Have obtained, at a minimum, a food and beverage service
38 worker's permit under chapter 69.06 RCW or its equivalent;

1 (ii) Are not processing maple syrup when ill, nor have open
2 lesions, wounds, or sources of microbial contamination; and

3 (iii) Wash their hands with potable hot, cold, or tempered water,
4 or permeate, before any sap or syrup food preparation and food
5 packaging activities.

6 (3) The department shall charge an inspection fee of \$150 for any
7 additional basic sanitation inspection required due to a failing
8 initial permitting inspection, which must be deposited into the food
9 processing inspection account created in RCW 69.07.120. An additional
10 inspection fee must be collected for each visit to a maple syrup
11 processor for the purposes of conducting an inspection for
12 compliance.

13 (4) The department may contract with local health jurisdictions
14 to conduct the inspections required under this section.

15 (5) For the purposes of determining compliance with this chapter,
16 the department may access, for inspection purposes, the maple syrup
17 processing operation permitted by the department under this chapter.
18 This authority includes the authority to inspect any records required
19 to be kept under the provisions of this chapter.

20 (a) All inspections must be made at reasonable times and, when
21 possible, during regular business hours.

22 (b) Should the department be denied access to a maple syrup
23 processing operation where access was sought for the purposes of
24 enforcing or administering this chapter, the department may take
25 appropriate regulatory enforcement action.

26 NEW SECTION. **Sec. 6.** (1) After conducting a hearing, the
27 department may deny, suspend, or revoke any permit provided for in
28 this chapter if it is determined that a permittee has committed any
29 of the following acts:

30 (a) Refused, neglected, or failed to comply with the provisions
31 of this chapter, any rules adopted to administer this chapter, or any
32 lawful order of the department;

33 (b) Refused, neglected, or failed to keep and maintain records
34 required by this chapter, or to make the records available when
35 requested pursuant to the provisions of this chapter;

36 (c) Consistent with section 5 of this act, refused the department
37 access to the permitted area of the maple syrup processing operation
38 for the purpose of carrying out the provisions of this chapter; or

1 (d) Consistent with section 5 of this act, refused the department
2 access to any records required to be kept under the provisions of
3 this chapter.

4 (2) The department may summarily suspend a permit issued under
5 this chapter if the department finds that a maple syrup processing
6 operation is operating under conditions that constitute an immediate
7 danger to public health or if the department is denied access to the
8 permitted area of a maple syrup processing operation or records where
9 the access was sought for the purposes of enforcing or administering
10 this chapter.

11 NEW SECTION. **Sec. 7.** (1)(a) Any person engaging in a maple
12 syrup processing operation without a valid permit issued under
13 section 4 of this act or otherwise violating any provision of this
14 chapter, or any rule adopted under this chapter, is guilty of a
15 misdemeanor.

16 (b) A second or subsequent violation is a gross misdemeanor. Any
17 offense committed more than five years after a previous conviction is
18 considered a first offense.

19 (2) Whenever the department finds that a person has committed a
20 violation of any of the provisions of this chapter, and that
21 violation has not been punished pursuant to subsection (1) of this
22 section, the department may impose upon and collect from the violator
23 a civil penalty not exceeding \$1,000 per violation per day. Each
24 violation is a separate and distinct offense.

25 NEW SECTION. **Sec. 8.** Except as otherwise provided in this
26 chapter, maple syrup processing operations with a valid permit under
27 section 4 of this act are not subject to the provisions of chapter
28 69.07 RCW or to permitting and inspection by a local health
29 jurisdiction.

30 NEW SECTION. **Sec. 9.** Nothing in this chapter affects the
31 application of any other state or federal laws or any applicable
32 ordinances enacted by any local unit of government.

33 NEW SECTION. **Sec. 10.** The rights, remedies, and procedures
34 respecting the administration of this chapter, including rule making,
35 emergency actions, and permit suspension, revocation, or denial, are
36 governed by chapter 34.05 RCW.

1 NEW SECTION. **Sec. 11.** Sections 1 through 10 of this act
2 constitute a new chapter in Title 69 RCW.

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