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HOUSE BILL 1200

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State of Washington

62nd Legislature

2011 Regular Session

By Representatives Taylor, Warnick, Short, Kretz, Chandler, Armstrong,  
and McCune

Read first time 01/14/11. Referred to Committee on 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.** It is the intent of the legislature to  
5 establish a state 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 products produced and consumed from  
10 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 licensed to prepare meat for consumption in Washington. This chapter  
15 does not prohibit the operator of a custom meat facility from being  
16 licensed to 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) "Meat food animal" includes cattle, swine, sheep, horses, or  
6 goats.

7 (5) "Meat food bird" includes a ratite, such as an ostrich, emu,  
8 rhea, chickens, ducks, geese, and similar birds.

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

12 (7) "Prepared" means smoked, salted, rendered, boned, cut up, or  
13 otherwise processed.

14 (8) "Uninspected meat" means the carcasses or carcass parts of meat  
15 food animals that have been slaughtered by the owner of the animals.

16 (9) "Washington inspected meat" means the carcasses or carcass  
17 parts of meat food animals that have been inspected at establishments  
18 subject to inspection under chapter 16.49 RCW.

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

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

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

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

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

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

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

34 (2) Application for a license must be made on a form prescribed by  
35 the director and accompanied by a twenty-five dollar license fee. The  
36 application must include:

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

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

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

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

9 (3) If an application for renewal of a license and the license fee  
10 are not received by June 30th, the applicant must pay an additional fee  
11 of twenty-five dollars before the renewal license is issued.

12 (4) 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 (5) Licenses issued under this chapter expire June 30th of each  
18 year.

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

20 NEW SECTION. **Sec. 6.** To determine compliance with this chapter  
21 and the rules adopted under this chapter, the director may inspect the  
22 mobile unit of any custom farm slaughterer or custom meat facility at  
23 any reasonable time.

24 NEW SECTION. **Sec. 7.** Inspected meat and meat products prepared  
25 for public sale must be kept separated from meat and meat products  
26 prepared for private individuals.

27 NEW SECTION. **Sec. 8.** It is unlawful for any person to interfere  
28 with the director in the performance of the director's duties under  
29 this chapter or the rules adopted under this chapter.

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

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

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

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

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

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

17        NEW SECTION.    **Sec. 11.**    Any person who fails to comply with this  
18       chapter or the rules adopted under this chapter may be subject to a  
19       civil penalty in an amount of not more than one thousand dollars per  
20       violation per day. Each violation is a separate and distinct offense.

21           All moneys collected for civil penalties under this chapter must be  
22       deposited in the meat inspection account, created in section 12 of this  
23       act, to be used solely for implementation of this chapter.

24        NEW SECTION.    **Sec. 12.**    The meat inspection account is created in  
25       the custody of the state treasurer. All receipts from section 11 of  
26       this act must be deposited into the account. Expenditures from the  
27       account may be used only for the purposes of implementing this chapter.  
28       Only the director or the director's designee may authorize expenditures  
29       from the account. The account is subject to allotment procedures under  
30       chapter 43.88 RCW, but an appropriation is not required for  
31       expenditures.

32        NEW SECTION.    **Sec. 13.**    Chapter 34.05 RCW governs the rights,  
33       remedies, and procedures respecting the administration of this chapter,  
34       including rule making, assessment of civil penalties, emergency  
35       actions, and license suspension, revocation, or denial.

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

6        NEW SECTION.    **Sec. 15.** The provisions of this chapter relating to  
7 the sale of inspected meat in custom meat facilities do not supersede  
8 or restrict the authority of any county or any city to adopt ordinances  
9 that are more restrictive for the handling and sale of inspected meat  
10 than those provided in this chapter.

11        NEW SECTION.    **Sec. 16.** Sections 1 through 15 of this act  
12 constitute a new chapter in Title 16 RCW.

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