
SENATE BILL 6413

State of Washington

53rd Legislature

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By Senators M. Rasmussen, Erwin, Snyder, Loveland, Oke, Anderson, Owen, Prince, Roach, McAuliffe, Moyer and Hargrove

Read first time 01/21/94. Referred to Committee on Agriculture.

1 AN ACT Relating to the health of domestic livestock and animals;
2 and amending RCW 16.36.005, 16.36.010, 16.36.020, 16.36.050, 16.36.040,
3 16.36.060, 16.36.070, 16.36.080, and 16.36.100.

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

5 **Sec. 1.** RCW 16.36.005 and 1987 c 163 s 1 are each amended to read
6 as follows:

7 As used in this chapter:

8 "Animal" means all members of the animal kingdom except humans,
9 fish, and insects.

10 "Director" means the director of agriculture of the state of
11 Washington or his or her authorized representative.

12 "Department" means the department of agriculture of the state of
13 Washington.

14 "Domestic livestock" means horses, mules, donkeys, cattle, sheep,
15 goats, swine, poultry, rabbits, llamas, alpacas, ratites, and other
16 species so designated by statute or rule.

17 "Garbage" means the solid animal and vegetable waste and offal
18 together with the natural moisture content resulting from the handling,
19 preparation, or consumption of foods in houses, restaurants, hotels,

1 kitchens, markets, meat shops, packing houses and similar
2 establishments or any other food waste containing meat or meat
3 products.

4 "Veterinary biologic" means any virus, serum, toxin, and analogous
5 product of natural or synthetic origin, or product prepared from any
6 type of genetic engineering, such as diagnostics, antitoxins, vaccines,
7 live microorganisms, killed microorganisms, and the antigenic or
8 immunizing components intended for use in the diagnosis, treatment, or
9 prevention of diseases in animals.

10 **Sec. 2.** RCW 16.36.010 and 1927 c 165 s 2 are each amended to read
11 as follows:

12 The word "quarantine" as used in (~~(this act shall)~~) chapters 16.36,
13 16.40, and 16.44 RCW means the placing and restraining of any animal or
14 animals by the owner or agents in charge thereof, either within a
15 certain described and designated enclosure or area within this state,
16 or the restraining of any such animal or animals from entering this
17 state, as may be directed in writing by the director of agriculture, or
18 his or her duly authorized representative. Any animal or animals so
19 quarantined within the state shall at all times be kept separate and
20 apart from other (~~domestic~~) animals and not allowed to have anything
21 in common therewith.

22 **Sec. 3.** RCW 16.36.020 and 1987 c 163 s 2 are each amended to read
23 as follows:

24 The director shall have general supervision of the prevention of
25 the spread and the suppression of infectious, contagious, communicable
26 and dangerous diseases affecting animals within, in transit through and
27 being imported into the state. The director may establish and enforce
28 quarantine of and against any and all (~~domestic~~) animals which are
29 affected with any such disease or that may have been exposed to others
30 thus affected, whether within or without the state, for such length of
31 time as he or she deems necessary to determine whether any such animal
32 is infected with any such disease. The director shall also enforce and
33 administer the provisions of this chapter pertaining to garbage feeding
34 and when garbage has been fed to swine, the director may require the
35 disinfection of all facilities, including yard, transportation and
36 feeding facilities, used for keeping such swine.

1 The director shall also have the authority to regulate the sale,
2 distribution, and use of veterinary biologics in the state and may
3 adopt rules to restrict the sale, distribution, or use of any
4 veterinary biologic in any manner the director determines to be
5 necessary to protect the health and safety of the public and the
6 state's animal population.

7 **Sec. 4.** RCW 16.36.050 and 1979 c 154 s 11 are each amended to read
8 as follows:

9 It is unlawful for any person to intentionally falsely make,
10 complete, alter, use, or sign an animal health certificate, certificate
11 of veterinary inspection, or official written animal health instrument
12 of the department of agriculture. It ((shall be)) is unlawful for any
13 person, or any railroad or transportation company, or other common
14 carrier, to bring into this state for any purpose any ((domestic))
15 animals without first having secured an official health certificate or
16 certificate of veterinary inspection, ((certified)) reviewed by the
17 state veterinarian of origin that such animals meet the health
18 requirements ((promulgated)) adopted by the director of agriculture of
19 the state of Washington((:—PROVIDED, That)). This section shall not
20 apply to domestic ((animals)) livestock imported into this state for
21 immediate slaughter, or domestic ((animals)) livestock imported for the
22 purpose of unloading for feed, rest, and water, for a period not in
23 excess of twenty-eight hours except upon prior permit therefor secured
24 from the director of agriculture. It ((shall be)) is unlawful for any
25 person to divert en route for other than to an approved, inspected
26 stockyard for immediate slaughter or to sell for other than immediate
27 slaughter or to fail to slaughter within fourteen days after arrival,
28 any animal imported into this state for immediate slaughter. It
29 ((shall be)) is unlawful for any person, railroad, transportation
30 company, or other common carrier, to keep any ((domestic)) animals
31 which are unloaded for feed, rest and water in other than quarantined
32 pens, or not to report any missing animals to the director of
33 agriculture at the time the animals are reloaded. This section does
34 not allow or purport to allow importation or uses of animals which are
35 in violation of Title 77 RCW or the rules adopted thereunder.

36 **Sec. 5.** RCW 16.36.040 and 1979 c 154 s 10 are each amended to read
37 as follows:

1 The director of agriculture shall have power to ~~((promulgate))~~
2 adopt and enforce such reasonable rules~~((, regulations))~~ and orders as
3 he or she may deem necessary or proper to prevent the introduction or
4 spreading of infectious, contagious, communicable, or dangerous
5 diseases affecting ~~((domestic))~~ animals in this state, and to
6 ~~((promulgate))~~ adopt and enforce ~~((such))~~ reasonable rules~~((, regulations))~~ and orders as he or she may deem necessary or proper
7 governing the inspection and test of all animals within or about to be
8 imported into this state, and to ~~((promulgate))~~ adopt and enforce
9 ~~((intercounty))~~ intrastate embargoes, hold orders, and quarantines ~~((to~~
10 ~~prevent the shipment, trailing, trucking, transporting or movement of~~
11 ~~bovine animals from any county that has not been declared modified~~
12 ~~accredited by the United States department of agriculture, animal and~~
13 ~~plant health inspection service, for tuberculosis and/or certified~~
14 ~~brucellosis free, into a county which has been declared modified~~
15 ~~accredited by the United States department of agriculture, animal and~~
16 ~~plant health inspection service, for tuberculosis and/or certified~~
17 ~~brucellosis free, unless such animals are accompanied by a negative~~
18 ~~certificate of tuberculin test made within sixty days and/or a negative~~
19 ~~brucellosis test made within the forty five day period prior to the~~
20 ~~movement of such animal into such county, issued by a duly authorized~~
21 ~~veterinary inspector of the state department of agriculture, or of the~~
22 ~~United States department of agriculture, animal and plant health~~
23 ~~inspection service, or an accredited veterinarian authorized by permit~~
24 ~~issued by the director of agriculture to execute such certificate))~~.
25 In adopting rules for animals, the department shall consult with the
26 department of fish and wildlife of the state of Washington provided
27 these regulations shall not allow or purport to allow importation,
28 possession, or uses of animals which are in violation of Title 77 RCW
29 or the rules adopted thereunder.
30

31 **Sec. 6.** RCW 16.36.060 and 1985 c 415 s 2 are each amended to read
32 as follows:

33 It ~~((shall be))~~ is unlawful for any person to willfully hinder,
34 obstruct, or resist the director of agriculture or any duly authorized
35 representative, or any peace officer acting under him or her or them,
36 when engaged in the performance of the duties or in the exercise of the
37 powers conferred by this chapter, and it shall be unlawful for any
38 person to willfully fail to comply with or violate any rule~~((,~~

1 regulation)) or order ((promulgated)) adopted by the director of
2 agriculture or his or her duly authorized representatives under the
3 provisions of this chapter. The director of agriculture or his or her
4 duly authorized representative shall have the authority under ((such))
5 rules ((and regulations)) as shall be ((promulgated by him)) adopted by
6 the director to enter at any reasonable time the premises of any
7 ((livestock)) animal owner to make tests on or examinations of any
8 animals for diseased conditions((, and)). It ((shall be)) is unlawful
9 for any person to interfere with ((such)) the tests or examinations in
10 any manner, or to ((violate)) alter any segregation or identification
11 ((order)) systems made in connection with ((such)) the tests or
12 examinations by the director of agriculture, or his or her duly
13 authorized representative.

14 **Sec. 7.** RCW 16.36.070 and 1947 c 172 s 6 are each amended to read
15 as follows:

16 Whenever a majority of any board of health, board of county
17 commissioners, city council, or other governing body of any
18 incorporated city or town, or trustees of any township, whether in
19 session or not, shall, in writing or by ((telegraph)) facsimile, notify
20 the director of agriculture of the prevalence of or probable danger of
21 infection from any of the diseases of ((domestic)) animals, the
22 director of agriculture personally, or by the ((supervisor of dairy and
23 livestock)) state veterinarian, or by a duly appointed and deputized
24 veterinarian of the division of ((dairy and livestock)) food safety and
25 animal health, shall at once go to the place designated in ((said)) the
26 notice and take ((such)) action as the exigencies may in his or her
27 judgment demand, and may in case of an emergency appoint deputies or
28 assistants, with equal power to act. The compensation to be paid
29 ((such)) the emergency deputies and assistants, shall be fixed by the
30 director of agriculture in conformity with the standards effective in
31 the locality in which the services are performed.

32 **Sec. 8.** RCW 16.36.080 and 1947 c 172 s 7 are each amended to read
33 as follows:

34 It ((shall be)) is unlawful for any person registered to practice
35 veterinary medicine, surgery, and dentistry in this state not to
36 immediately report in writing to the director of agriculture the
37 discovery of the existence or suspected existence among ((domestic))

1 animals within the state of any reportable diseases as published by the
2 director of agriculture.

3 **Sec. 9.** RCW 16.36.100 and 1927 c 165 s 10 are each amended to read
4 as follows:

5 The governor and the director of agriculture shall have the power
6 to cooperate with the government of the United States in the prevention
7 and eradication of diseases of ((~~domestic~~)) animals and the governor
8 shall have the power to receive and receipt for any moneys receivable
9 by this state under the provisions of any act of congress and pay the
10 same into the hands of the state treasurer as custodian for the state
11 to be used and expended in carrying out the provisions of this act and
12 the act or acts of congress under which ((~~said~~)) the moneys are paid
13 over to the state.

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