

SENATE BILL REPORT

SB 6299

As of January 21, 2010

Title: An act relating to livestock inspection.

Brief Description: Regarding livestock inspection.

Sponsors: Senators Schoesler, Hatfield and Shin.

Brief History:

Committee Activity: Agriculture & Rural Economic Development: 1/19/10.

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Staff: Sam Thompson (786-7413)

Background: The Washington State Department of Agriculture (WSDA) Animal Health Program is charged with protecting animals and the public from communicable animal diseases. Program officials monitor movement of animals across state lines, set requirements for reporting and controlling diseases, and conduct disease testing and investigations.

Livestock Health. It is generally illegal to bring animals into Washington without an official health certificate or certificate of veterinary inspection (CVI), reviewed by the state veterinarian of the state of origin, certifying that the animals meet Washington health requirements. Certain animals are exempt from this requirement, including livestock destined for immediate slaughter at a federally inspected slaughter facility. Animals imported into Washington for immediate slaughter may not be diverted en route to other than approved, inspected feedlots for slaughter, sold for other than immediate slaughter, or not slaughtered or delivered to slaughter establishments within three days after entry.

Investigations. WSDA may enter animal premises at reasonable times to conduct tests, examinations, or inspections for disease conditions when there is reasonable cause to investigate disease. Interference is illegal. When WSDA has determined probable cause of serious risk from disease or contamination, it may seize items necessary to conduct tests, inspections, or examinations. If it is denied access, or an animal owner fails to comply with an agency order, WSDA may apply to a court for a search warrant. The warrant may authorize access to animals or animal premises to conduct tests, inspections, or examinations, and may authorize seizure or destruction of property. A court may issue a warrant if it finds

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probable cause – i.e., a potential threat to agricultural interests of the state or a potential threat seriously endangering animals, human health, the environment, or public welfare. To show that access is denied, WSDA must describe attempts to notify and locate the owner or agent and secure consent.

Self Inspection of Cattle. Cattle must be inspected when ownership is transferred. WSDA officials perform inspections when livestock are consigned to public livestock markets for sale. For private transactions involving fewer than 25 head of cattle, buyers and sellers may jointly complete a self inspection certificate. That process does not involve WSDA inspectors, and information regarding specific transactions is not recorded by the agency.

Brand Inspection. Brand inspection, verifying ownership, is required prior to moving cattle or horses out of the state. WSDA issues official brand inspection documents.

Summary of Bill: Livestock Health. Restrictions regarding livestock exempt from the official health certificate/CVI requirement are modified. Instead of three days after entry, cattle must be delivered within 12 hours after entry to an approved, inspected feed lot for slaughter or to a federally inspected slaughter establishment. In addition, a person may not:

- divert the livestock en route to other than an approved, inspected feed lot for slaughter;
- sell the livestock for any purpose other than immediate slaughter;
- fail to slaughter the livestock or deliver the livestock to a slaughter establishment or approved, inspected feed lot within 12 hours after entry; or
- for livestock for sale for immediate slaughter, fail to deliver the livestock: (1) within 12 hours to a licensed public livestock market or (2) to a slaughter establishment or approved, inspected feed lot within 12 hours after leaving the licensed public livestock market.

In addition to monitoring livestock entering Washington without an official health certificate or CVI, WSDA may monitor livestock entering the state under a permit requiring livestock to be delivered to a federally inspected slaughter establishment, or to an approved, inspected feed lot for subsequent slaughter, or to another stated destination. Persons importing, transporting, receiving, feeding, or housing the livestock must make the livestock and related records available for inspection by WSDA.

WSDA must charge a time and mileage fee for livestock and records inspections during investigations. The initial fee is \$85 per hour and a mileage rate set by the Office of Financial Management. WSDA may increase initial fees by rule to cover costs.

WSDA may adopt and enforce implementing rules.

Investigations. WSDA authority is clarified and modified. The agency may enter property at any reasonable time to investigate whether livestock have been imported:

- in violation of import requirements or conditions of an import permit; or
- without an official health certificate or CVI and are destined for immediate slaughter at a federally inspected slaughter facility or destined for an approved, inspected feed lot for subsequent slaughter.

During the investigation, WSDA may conduct tests, examinations, and inspections, take samples, and examine and copy records. Interference is unlawful.

Self Inspection of Cattle. Language authorizing self inspection of 25 head or less of cattle is deleted.

Brand Inspection. WSDA may adopt rules governing issuance of official replacement brand inspection documents. The agency may charge \$25 for replacement copies, and may increase that fee by rule.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.