
**Agriculture & Natural Resources
Committee**

SSB 5487

Brief Description: Regarding eggs and egg products in intrastate commerce.

Sponsors: Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Schoesler, Hatfield, Hobbs, Delvin, Honeyford, Becker and Shin).

Brief Summary of Substitute Bill

- Requires new and renewal applicants for an egg handlers license to prove compliance with certain third party operational standards.
- Includes the handling of egg products in the definition of an egg handler.

Hearing Date: 3/18/11

Staff: Jason Callahan (786-7117).

Background:

Egg handlers and egg dealers licenses.

An egg handlers or egg dealers license is required to be obtained from the Washington State Department of Agriculture (WSDA) prior to a person being able to lawfully act as an egg handler or an egg dealer. Egg handlers and egg dealers are people who produce, or contract for the production of, eggs for the purpose of sales. This requirement is applicable to the eggs of chickens, turkeys, ducks, geese, or other fowl species.

Third-party egg production certification.

There are multiple private, third party groups that offer marketing certifications regarding agricultural practices and animal husbandry. Two of these groups are the United Egg Producers (UEP) and the American Humane Association (AHA).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The UEP is, according to its website, a cooperative made up of egg farmers from across the country. The UEP runs a certification program available to egg producers. Egg producers satisfying the husbandry guidelines established by the UEP may attach the "UEP-Certified" label on their product.

In 2010, the UEP published an updated version of its certification guide called Animal Husbandry Guidelines for U.S. Egg Laying Flocks. According to the guidelines, for a company to be recognized as UEP-certified, the company must implement the UEP's animal husbandry guidelines at 100 percent of the company's facilities. New companies applying for certification must either:

- reduce the number of hens in all existing egg producing spaces until the required cage space allowance is achieved, satisfy all other standards of the UEP, and then pass an audit; or
- increase the number of hens in all existing egg producing spaces egg producing spaces based on a schedule set by the UEP and satisfy all other standards of the UEP.

In addition, also according to the UEP's guidelines, all certified companies are required to file monthly compliance reports with the UEP and pay to the UEP an annual administrative and public relations fee.

The AHA is a private, non-profit organization that, according to its website, has a mission of creating a more humane and compassionate world by ending abuse and neglect of children and animals. The AHA also offers third-party certification of farm-raised products, including eggs. In 2010, the AHA published their updated standards for enriched colony housing. Egg production operations must be conducted consistent with these standards to achieve certification from the AHA and to be licensed to market their products as AHA-certified.

According to those guidelines, certification requires a producer to apply the applicable facility plan design and site approval standards. This includes providing the AHA with information about the farm, including the number of birds on the farm and details about the bird's physical environment. Certified farms must report annually to the AHA and are subject to inspection by a third party auditor.

Summary of Bill:

Egg handlers and egg dealers licenses-scope.

The group of people required to obtain an egg handlers and egg dealers license is expanded from just people who handle eggs to include people who handle egg products. The existing definition of egg products is incorporated, which means certain dried, frozen, or liquid eggs.

Egg handlers and egg dealers licenses-requirements.

Any person must, prior to obtaining a new egg handlers or egg dealers license or renewing an existing license, provide proof to the WSDA that the eggs or egg products are produced by a commercial egg layer operation that is certified under the 2010 version of the UEP Animal

Husbandry Guidelines for United States Laying Flocks for Conventional Cage Systems. The WSDA may, in rule, require certification under any updated version of the same standards.

If an applicant for a new or renewal application for an egg handlers or egg dealers license has installed a new cage system after August 1, 2011, then that applicant must also provide proof to the WSDA that the cages are, or are convertible to, the AHA's Facility System Plan for Enriched Colony Housing in effect on January 1, 2011. The WSDA may, in rule, require certification under any updated version of the same standards.

The additional licensing requirements only apply after August 1, 2012, and only to eggs or egg products provided in intrastate commerce. Applicants with 3,000 or less laying chickens are exempt from the additional requirements.

Appropriation: None.

Fiscal Note: Requested on March 11, 2011.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.