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**SENATE BILL 6382**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Ericksen and Takko

AN ACT Relating to state-inspected commercial custom meat facilities; amending RCW 16.49.005, 16.49.015, 16.49.045, 16.49.095, and 16.49.125; adding new sections to chapter 16.49 RCW; and creating a new section.

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

**Sec.**  RCW 16.49.005 and 2000 c 99 s 1 are each amended to read as follows:

This chapter is intended to safeguard the household user of uninspected and inspected meat products from possible harm due to adulterated, misbranded, or unfit meat or meat products, or meat or meat products that have been prepared under insanitary conditions. Furthermore, the legislature intends to allow for state-inspected meat prepared at state-inspected commercial custom meat facilities to be sold in intrastate commerce subject to a state inspection program that safeguards consumers from possible harm.

**Sec.**  RCW 16.49.015 and 2000 c 99 s 2 are each amended to read as follows:

((~~For the purposes of this chapter:~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of agriculture of the state of Washington.

(2) "Director" means the director of the department or the director's designee.

(3) "Custom farm slaughterer" means a person licensed to slaughter meat food animals for the owner of the animal through the use of a mobile unit.

(4) "Custom slaughtering establishment" means the facility operated by a person licensed to slaughter meat food animals for the owner of the animal at a fixed location.

(5) "Custom meat facility" means the facility operated by a person licensed to prepare uninspected meat for the owner of the uninspected meat. ((~~Operators of custom meat facilities may also sell prepackaged inspected meat to any person. This chapter does not prohibit the operator of a custom meat facility from being licensed to prepare at the facility and sell inspected meat to any person.~~))

(6) "Inspected meat" means the carcasses or carcass parts of meat food animals which have been slaughtered and inspected at establishments subject to inspection under ((~~a~~)) the federal meat inspection act.

(7) "Uninspected meat" means the carcasses or carcass parts of meat food animals that have been slaughtered by the owner of the animals, by a custom farm slaughterer, at a custom meat facility, or at a custom slaughtering establishment.

(8) "Household user" means the ultimate consumer, members of the consumer's household, and his or her nonpaying guests and employees.

(9) "Person" means any individual, partnership, association, and corporation.

(10) "Meat food animal" means cattle, swine, sheep, or goats.

(11) "Meat food bird" means a ratite, such as an ostrich, emu, or rhea.

(12) ((~~"Official establishment" means an establishment operated for the purpose of slaughtering meat food animals for sale or use as human food in compliance with the federal meat inspection act.~~

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

(13) "State-inspected commercial custom meat facility" means a facility operated by a person licensed to prepare state-inspected meat, which may be sold, bartered, or given, to consumers in intrastate commerce, subject to the state inspection requirements for state-inspected meat established in this chapter.

(14) "State-inspected meat" means meat prepared at a state-inspected commercial custom meat facility.

NEW SECTION. **Sec.**  A new section is added to chapter 16.49 RCW to read as follows:

(1) It is unlawful for any person to operate a state-inspected commercial custom meat facility without first obtaining a license from the director. Separate licenses are required for each state-inspected commercial custom meat facility.

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

(a) The full name and address of the applicant, including the full name and address of each partner or officer if the applicant is a partnership or corporation;

(b) The address of the physical location of each facility to be licensed;

(c) The name and address of a resident of Washington authorized to accept legal notices for the applicant; and

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

(3) Initial issuance of a license requires a prelicense inspection by the director for compliance with this chapter and rules adopted under this chapter. A license may only be issued after an applicant is found to be in substantial compliance with this chapter and rules adopted under this chapter.

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

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

(6) Licenses issued under this chapter are not transferable.

NEW SECTION. **Sec.**  A new section is added to chapter 16.49 RCW to read as follows:

The department shall inspect state-inspected commercial custom meat facilities. The purpose of the state inspection authorized under this section is to allow for the selling, bartering, or giving of state-inspected meat in intrastate commerce while safeguarding consumers from possible harm. The requirements for state inspections must be similar to the standards that apply to custom meat facilities and custom slaughtering establishments, but appropriately tailored to provide for the safe selling, bartering, or giving of state-inspected meat in intrastate commerce, and must be at least equal to the requirements for the safety of consumers under the federal meat inspection act. However, any rules adopted by the department that apply to state-inspected commercial custom meat facilities must be limited to requirements for licensing, recordkeeping, inspections, animal identification, equipment, sanitation, preparation, handling, storing, packing, or labeling.

NEW SECTION. **Sec.**  A new section is added to chapter 16.49 RCW to read as follows:

Operators of custom meat facilities and state-inspected commercial custom meat facilities may sell prepackaged inspected meat to any person. This chapter does not prohibit the operator of a custom meat facility or state-inspected commercial custom meat facility from being licensed to prepare at the facility and sell inspected meat to any person.

**Sec.**  RCW 16.49.045 and 2000 c 99 s 5 are each amended to read as follows:

To determine compliance with this chapter and the rules adopted under this chapter, the director may inspect the mobile unit of any custom farm slaughterer and the premises of any custom slaughtering establishment ((~~or~~)), custom meat facility, or state-inspected commercial custom meat facility, at any reasonable time.

**Sec.**  RCW 16.49.095 and 2018 c 236 s 710 are each amended to read as follows:

(1) The director may deny, suspend, or revoke any license required under this chapter if the director determines that an applicant or licensee has committed any of the following acts:

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

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

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

(d) Refused, neglected, or failed to comply with any provisions of chapter 15.130 RCW or rules adopted under that chapter.

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

**Sec.**  RCW 16.49.125 and 2000 c 99 s 13 are each amended to read as follows:

The provisions of this chapter relating to the sale of inspected meat in custom meat facilities and state-inspected commercial custom meat facilities do not supersede or restrict the authority of any county ((~~or any~~)), city, code city, or town to adopt ordinances that are more restrictive for the handling and sale of inspected meat than those provided in this chapter.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2020, in the omnibus appropriations act or supplemental omnibus appropriations act, this act is null and void.

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