

# FINAL BILL REPORT

## SSB 5315

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C 374 L 95

Synopsis as Enacted

**Brief Description:** Modifying agriculture regulations.

**Sponsors:** Senate Committee on Agriculture & Agricultural Trade & Development (originally sponsored by Senators Rasmussen, Morton, Loveland, Newhouse and Roach; by request of Department of Agriculture).

**Senate Committee on Agriculture & Agricultural Trade & Development**

**Senate Committee on Ways & Means**

**House Committee on Agriculture & Ecology**

**House Committee on Appropriations**

**Background:** Milk and Milk Products. Presently, the Department of Agriculture may revoke only the license of milk distributors when milk products fail to meet the grade. Additional consumer protection is sought by also allowing the department to revoke the license or degrade a product of a milk processing plant or producer who fails to meet Grade A milk requirements.

Food Safety Inspection. The Department of Agriculture administers the state Food, Drug and Cosmetic Act to protect the public from contaminated food products. Currently, food storage warehouses are not licensed and are infrequently inspected.

Flour, White Bread and Rolls. State statutes relating to flour, white bread and rolls no longer conform to federal statutes and regulations.

Eggs and Egg Products. The proliferation of salmonella declines when eggs are kept at 45 degrees or below. Currently, egg graders are required to refrigerate eggs at 45 degrees and when transported more than two hours. Distributors and retailers are not required to have refrigeration equipment.

Eggs produced from flocks of less than 3,000 hens are exempt from the Wholesome Egg Products Act.

Commercial Feed. The state's commercial feed law was adopted in 1965 patterned after the Model Feed Bill developed by the Association of American Feed Control Officials. The purpose of the Model Feed Bill is to establish a national standard to facilitate interstate marketing of feeds. No substantial revisions of the state law have been made since 1982, while significant changes have been made to the Model Feed Bill.

Livestock Inspection. Generally, cattle sold in the state or transported out of the state are required to be brand inspected. Ways to reduce the cost of brand inspection involving small numbers of cattle sold between private parties is proposed.

Commodity Commissions. The Office of Financial Management and the State Auditor disagree as to whether all commodity commissions are exempt from the state Budget and Accounting Act.

When there is only one nominee submitted for a position on the Dairy Products Commission, current law requires that the Director of Agriculture nominate an additional candidate prior to holding an election.

Collection Procedures. Some, but not all, programs administered by the Department of Agriculture contain specific statutory authority to charge interest and to recover costs associated with civil judgments when businesses do not pay bills on time.

**Summary:** Milk and Milk Products. The director's authority is expanded to allow for the revocation of the license or to degrade a product of a milk processing plant or producer who fails to meet the Grade A milk requirements.

Food Safety Inspection. Food storage warehouses are required to be licensed except those that are inspected by an approved private sanitation consultant. Independent sanitation consultants are required to meet certain qualifications and be approved by the director. Inspection reports prepared by independent sanitation consultants are forwarded to the department. Food storage warehouses that utilize independent consultants are exempt from licensure.

Fruit and vegetable storage warehouses are excluded from the definition of food storage warehouse.

Monies collected from licenses and fees under the Food, Drug and Cosmetic Act are placed in the agricultural local fund.

The department is authorized to suspend or revoke a food storage warehouse license for failure to comply with licensing provisions, failure to maintain necessary records or for failure to comply with the Food, Drug and Cosmetic Act.

The fee for sanitary certificates issued to food processors is increased from \$20 to \$50.

Flour, White Bread and Rolls. Current state statutes regarding flour, white bread and rolls are repealed.

Eggs and Egg Products. In addition to egg graders, the refrigeration requirement for eggs is extended to distributors and retailers.

The egg dealer license is increased from \$10 to \$30, and the egg dealer branch license is increased from \$5 to \$15. The director is authorized to assess a civil penalty not to exceed \$1,000 in lieu of seeking criminal prosecution.

The director is provided authority to establish by rule procedures to exempt flocks of 3,000 hens from some provisions of the Wholesome Egg and Egg Products Act.

Commercial Feed. The current procedure of registering commercial feeds is changed to require licensing of any person who manufactures feed that is to be distributed in this state. Registration requirements continue to apply to pet foods.

Several amendments are made to commercial feed labeling requirements, inspection fee payment and inspection procedures.

Livestock Inspection. The department may allow by rule cattle owners to use self-inspection certificates as an option to mandatory brand inspections conducted by the department.

Commodity Commissions. It is clarified that commodity commissions are exempt from the state Budget and Accounting Act.

An election is unnecessary if there is only one nominee for a position on the Dairy Products Commission.

Pesticide Registrations. Revenue generated by pesticide registration fees are to be deposited in the agricultural local fund rather than in the state general fund. Registrants may elect to pay for a two-year period rather than annually.

Collection Procedures. The director is provided authority to retain collection agencies, and to add charges paid to collection agencies and banks to the costs owed to the department. Also authorized is a 10 percent handling charge to cover the agency's cost to recover unpaid bills. The department is allowed to bring civil actions for unpaid debts and to recover all costs and attorney fees associated with obtaining legal judgments. The department is also allowed to charge 1 percent per month on monies owed to the department.

Abandoned Horses. The director of Agriculture has the discretion to sell a horse or other animal at public sale and includes horses that were abandoned after December 1, 1994.

Agricultural Fairs. An agricultural fair that received a funding allocation as a county fair but is now reorganized as an area fair continues to be eligible to receive a funding allocation.

Noxious Weeds. The State Noxious Weed Control Board is to conduct a study of the cost of controlling weeds on state-owned or managed lands and state-owned rights of way. Washington State University is to test biological control agents for the control of knapweed.

**Votes on Final Passage:**

Senate	45	2	
House	96	0	(House amended)
Senate			(Senate refused to concur)
House	94	0	(House amended)
Senate	47	0	(Senate concurred)

**Effective:** May 16, 1995 (Sections 69, 70, 72-79)  
June 30, 1995 (Sections 1-47, 50-53, 59-68)  
July 23, 1995  
July 1, 1997 (Sections 49 and 57)