

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5962

Chapter 225, Laws of 1995

54th Legislature
1995 Regular Session

DAIRY PRODUCTS--DEVELOPMENT OF PROPOSED PENALTIES FOR
VIOLATIONS--CONTAINERS

EFFECTIVE DATE: 7/23/95

Passed by the Senate April 19, 1995
YEAS 46 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 4, 1995
YEAS 97 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved May 3, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5962** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

May 3, 1995 - 11:51 a.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5962

AS AMENDED BY THE HOUSE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Senators Rasmussen and Newhouse

Read first time 02/17/95. Referred to Committee on Agriculture & Agricultural Trade & Development.

1 AN ACT Relating to dairy products; amending RCW 15.36.121; and
2 creating a new section.

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

4 NEW SECTION. **Sec. 1.** The dairy inspection program advisory
5 committee created by RCW 15.36.561 shall develop a proposal to impose
6 a civil penalty that would be in lieu of a degrade or summary
7 suspension for violations of the pasteurized milk ordinance. The
8 committee shall inquire as to the acceptability of the proposed civil
9 penalty authority with the federal food and drug administration, with
10 regulatory agencies that implement the requirements of the pasteurized
11 milk ordinance in states to which milk produced in Washington state is
12 shipped, and with other public and private organizations that may be
13 affected by the issue. The committee shall provide a written report
14 containing its conclusions and recommendations to the house of
15 representatives and senate committees having jurisdiction over milk
16 quality issues by December 15, 1995.

17 **Sec. 2.** RCW 15.36.121 and 1994 c 143 s 210 are each amended to
18 read as follows:

1 Except as permitted in this section, no milk producer or
2 distributor shall transfer milk or milk products from one container to
3 another on the street, or in any vehicle, or store, or in any place
4 except a bottling or milk room especially used for that purpose.

5 Milk and milk products sold in the distributor's containers in
6 quantities (~~less than~~) of one gallon or less shall be delivered in
7 standard milk bottles or in single-service containers. It shall be
8 unlawful for hotels, soda fountains, restaurants, groceries, hospitals,
9 and similar establishments to sell or serve any milk or milk products
10 except in the individual original container in which it was received
11 from the distributor or from a bulk container equipped with an approved
12 dispensing device: PROVIDED, That this requirement shall not apply to
13 cream or milk consumed on the premises in serving sizes not to exceed
14 two hundred thirty-six milliliters or one-half pint, which may be
15 served from the original bottle or from a dispenser approved for such
16 service.

17 It shall be unlawful for any hotel, soda fountain, restaurant,
18 grocery, hospital, or similar establishment to sell or serve any milk
19 or milk product which has not been maintained, while in its possession,
20 at a temperature of forty-five degrees Fahrenheit or less. If milk or
21 milk products are stored in water for cooling, the pouring lip of the
22 container shall not be submerged.

23 It shall be the duty of all persons to whom milk or milk products
24 are delivered to clean thoroughly the containers in which such milk or
25 milk products are delivered before returning such containers.
26 Apparatus, containers, equipment, and utensils used in the handling,
27 storage, processing, or transporting of milk or milk products shall not
28 be used for any other purpose without the permission of the director.

29 The delivery of milk or milk products to and the collection of milk
30 or milk products containers from residences in which cases of
31 communicable disease transmissible through milk supplies exists shall
32 be subject to the special requirements of the health officer.

Passed the Senate April 19, 1995.

Passed the House April 4, 1995.

Approved by the Governor May 3, 1995.

Filed in Office of Secretary of State May 3, 1995.