
SENATE BILL 5730

State of Washington

57th Legislature

2001 Regular Session

By Senators Patterson, Kohl-Welles, Fairley, Costa, Thibaudeau,
Finkbeiner, Regala, Kline and Carlson

Read first time 02/01/2001. Referred to Committee on Agriculture &
International Trade.

1 AN ACT Relating to egg-laying birds; amending RCW 69.25.070;
2 adding a new section to chapter 43.70 RCW; creating a new section;
3 and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** The legislature finds and declares that:

6 (1) The Salmonella enteritidis (Se) bacteria in shell eggs has
7 increasingly been implicated as a primary cause of foodborne
8 illness in Washington;

9 (2) Salmonella bacteria can cause a variety of serious health
10 problems, including flu-like symptoms, bloodstream infections,
11 arthritis, meningitis, and sometimes death;

12 (3) Once infected, chickens can pass the pathogen directly from
13 their ovaries to the contents of the eggs they lay;

14 (4) Forcing egg-laying hens to molt includes withholding food
15 from the hens for up to fourteen days and withholding water from
16 the hens for up to three days;

17 (5) The practice of forcing the molting of egg-laying hens can

1 contribute to increased Salmonella levels because the birds'
2 immune systems become severely impaired by prolonged food and
3 water deprivation;

4 (6) Many egg-laying hens in Washington undergo forced molting;
5 and

6 (7) Regulation of forced molting practices by the department of
7 health is essential for the preservation of the public's health.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70
9 RCW to read as follows:

10 (1) The definitions in this subsection apply throughout this
11 section unless the context clearly requires otherwise.

12 (a) "Harm" means physical injury or a stress reaction
13 including, but not limited to, the following: A compromised immune
14 system, rapid weight loss, cannibalism, reduction in appetite,
15 feather-picking, excessive drinking, and unresponsiveness.

16 (b) "Induced or forced molt" means to artificially manipulate a
17 bird's processes normally associated with seasonal feather loss
18 and regrowth for the purposes of manipulating egg production and
19 the economics of production.

20 (2) No egg handler may negligently deprive any bird used for
21 egg-laying purposes of clean water or nutritious food or otherwise
22 cause an induced or forced molt that results in harm to the egg-
23 laying bird.

24 (3) A person who violates this section is subject to the
25 penalties provided for in this chapter. Whenever a person has
26 violated this section, the department of health must notify the
27 department of agriculture of the violation so that the department
28 of agriculture may take appropriate action under RCW 69.25.070.

29 (4) The department of health may adopt rules as necessary to
30 implement this section.

31 **Sec. 3.** RCW 69.25.070 and 1975 1st ex.s. c 201 s 8 are each
32 amended to read as follows:

33 The department may deny, suspend, revoke, or issue a license or
34 a conditional license if it determines that an applicant or
35 licensee has committed any of the following acts:

1 (1) That the applicant or licensee is violating or has violated
2 any of the provisions of this chapter or rules ((~~and regulations~~))
3 adopted thereunder or violated section 2 of this act.

4 (2) That the application contains any materially false or
5 misleading statement or involves any misrepresentation by any
6 officer, agent, or employee of the applicant.

7 (3) That the applicant or licensee has concealed or withheld
8 any facts regarding any violation of this chapter by any officer,
9 agent, or employee of the applicant or licensee.

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