

# HOUSE BILL REPORT

## HB 1227

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As Passed House  
February 17, 1993

**Title:** An act relating to misbranding and adulteration.

**Brief Description:** Changing misbranding and adulteration provisions for meat and poultry products.

**Sponsors:** Representatives R. Johnson, Chandler and Rayburn.

**Brief History:**

Reported by House Committee on:

Agriculture & Rural Development, February 2, 1993, DP;  
Passed House, February 17, 1993, 97-0.

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### HOUSE COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT

**Majority Report:** Do pass. Signed by 8 members:  
Representatives Rayburn, Chair; Kremen, Vice Chair;  
Chandler, Ranking Minority Member; Schoesler, Assistant  
Ranking Minority Member; Chappell; Foreman; Karahalios; and  
Roland.

**Staff:** Kenneth Hirst (786-7105).

**Background:** The state's Meat Inspection Act regulates the preparation, transportation, labeling, and sale of meat products. It provides for inspections of establishments in which meat products are prepared for sale and prohibits the sale of misbranded or adulterated products. The provisions of the act requiring the inspection of meat or meat products do not apply to operations traditionally conducted by retail meat dealers. The requirements of the act are nonexclusive; they do not inhibit other forms of regulation.

The preparation and sale of poultry products are regulated under the state's Wholesome Poultry Products Act. The director of the Department of Agriculture is required to exempt certain entities and operations from specific requirements of the act, including a retail dealer regarding poultry products which are sold directly to consumers at a retail store. These exemptions may include exemptions from the adulteration and misbranding requirements of the act.

Under both acts, a carcass or meat product is considered to be misbranded if it or its container does not bear an official inspection mark or "legend."

**Summary of Bill:** The adulteration and misbranding provisions of the state's Meat Inspection Act apply to operations of retail meat dealers which are exempted from inspection under the act. The misbranding restrictions imposed in this manner do not include the requirement that a product have an official inspection mark or legend.

Any exemption from the provisions of the Wholesome Poultry Products Act provided to retail dealers regarding the sale of poultry products to consumers does not include an exemption from the provisions of the act prohibiting the adulteration or misbranding of products. However, such exemptions may include exemptions from the requirement that a product bear an official inspection mark or legend.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** King County had regularly prosecuted retail violations of the state's labeling and adulteration laws for meat and poultry, only to find that these operations were exempt from certain of the requirements. This bill will remove that exemption and permit the prosecutor's office to assist in enforcing labeling and adulteration requirements. The most common "violations" in the past were violations of pull-date and fat content labeling and labeling concerning where the source of the product was grown.

**Testimony Against:** None.

**Witnesses:** Pat Sainsbury, King County Prosecutor's Office (in favor).