

HOUSE BILL REPORT

HB 2377

As Reported By House Committee On:
Agriculture & Ecology

Title: An act relating to custom meat slaughter and preparation.

Brief Description: Regulating custom meat slaughter and preparation.

Sponsors: Representatives G. Chandler, Linville, Pennington and Haigh; by request of Department of Agriculture.

Brief History:

Committee Activity:

Agriculture & Ecology: 1/21/00, 2/3/00 [DPS].

Brief Summary of Substitute Bill

- Alters the penalties for certain violations of the custom meat laws and broadens the grounds for denying, suspending or revoking a license.
- Alters the types of sales of inspected meat a custom meat facility is authorized to make and no longer prohibits such sales to any person.
- Provides the Director of Agriculture more specific authority for establishing requirements under the custom meat laws and applies these more uniformly to each category of license; and no longer requires a certificate of need for a custom slaughtering establishment.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Koster, Republican Vice Chair; Anderson; B. Chandler; Delvin; Fortunato; Grant; Reardon; Schoesler; Stensen; Sump and Wood.

Staff: Kenneth Hirst (786-7105).

Background:

In general, the custom meat laws regulate persons who slaughter and prepare uninspected meat for the owners of the meat. These laws are administered by the Department of Agriculture. Custom farm slaughterers, custom slaughtering establishments, and custom meat facilities must be licensed under these laws. A custom farm slaughterer is a person who may slaughter meat food animals only for the consumption of the owner of the animals, through the use of an approved mobile unit. A custom slaughtering establishment is a fixed facility for such operations. A custom meat facility is a facility operated by a person licensed to prepare uninspected meat for the sole consumption of the owner of the uninspected meat. Operators of custom meat facilities may also prepare and sell prepared inspected meat to household users only. They may also sell prepackaged inspected meat to any person; however, the prepackaged inspected meat cannot be prepared in any manner or opened or altered by these operators. The meat regulated by these laws is meat from cattle, swine, sheep, or goats.

Although custom meat facilities must be licensed under the custom meat laws, these laws do not supersede or restrict the authority of a county or city to adopt ordinances which are more restrictive for the handling of meat by custom meat facilities.

Summary of Substitute Bill:

The custom meat laws are amended and a general statement of the purpose of these laws is provided.

Penalties: Violations of the provisions of these laws or the rules adopted under them are no longer gross misdemeanors. However, it is unlawful, not simply a violation of these laws, to interfere with the performance of the Director of Agriculture's duties. Imposing both a civil penalty and a criminal penalty for a violation is no longer expressly prohibited.

Grounds for Losing a License: Refusing, neglecting, or failing to comply with the Uniform Washington Food, Drug, and Cosmetic Act or rules now constitutes grounds for denying, suspending, or revoking a license under the custom meat laws. Refusing, neglecting, or failing to keep and maintain records required by the director by rule (rather than required directly by the custom meat laws) or failing to make these records available to the director is now cause for denying, suspending, or revoking a license. The director no longer has the express authority to establish conditions of probation in lieu of such a denial, suspension, or revocation.

Authorized Activities: The uninspected meat prepared by a person licensed under the custom meat laws must still be for the owner of the meat but is no longer required to be for the sole consumption of the owner of the meat. These laws no longer prohibit

the operator of a custom meat facility from being licensed to sell inspected meat that has been prepared at the facility to a person other than a household user.

Authority of the Director: The director is authorized to adopt rules setting requirements: for construction, equipment, cleaning, sanitation, and sanitary practices; for handling and storing meats and meat products; and for labeling meat and meat products. These authorities replace authorities for these rules that are stated more generally. The director is also authorized to adopt rules setting requirements for slaughtering and processing raptures such as ostriches, emus and rheas. Equipment used in preparing uninspected meat must be cleaned and sanitized before being used to prepare inspected meat. Packages of uninspected meat may not be stored in a retail counter. Specific instructions for tagging beef by custom slaughterers are provided. The tags may be provided only by the director at a cost currently set by rule.

The initial issuance of a license under the custom meat laws requires a pre-licensing inspection and the license may be issued only if the applicant is found to be in compliance with the requirements of these laws and the director's rules. An application for a license is expressly required to identify the physical location of each establishment or facility to be licensed. Licenses are not transferrable.

Local Ordinances: The express authority provided to cities or counties to adopt restrictions for the handling of meat by a custom meat facility that are more stringent than those of the state applies only to inspected meat, but now also applies to the sale of such meat by the facility.

Repealed. Provisions of law are repealed that: require a person proposing to operate a custom slaughtering establishment first to establish the need for the establishment, provide related application information, and be issued a limited license exempting Washington State University's meat laboratories from licensure for certain slaughtering operations exempt from the \$25 licensing renewal late fee those who certify that they have not conducted the licensed activity since their licenses expired.

Substitute Bill Compared to Original Bill: The substitute bill removes provisions of the custom meat laws that prohibit a custom meat facility from making sales of inspected meat to any person, and maintains, rather than eliminates as in the original bill, the current authority of the operator of such a facility to sell pre-packaged inspected meat to any person. The substitute bill also identifies the fee for beef tags by referring to the current fee that applies to them in an existing rule, rather than setting the fee, as in the original bill, directly in statute.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: (Original Bill) The bill implements the department's regulatory reform program by replacing general authorities for the custom meat program with specific authorities. The department would no longer have to determine the "need" for a custom meat establishment before licensing it.

Testimony Against: None.

Testified: (In support) (Original bill): Mary Beth Lang, Department of Agriculture.