

# HOUSE BILL REPORT

## SB 5039

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### As Passed House - Amended:

April 7, 2005

**Title:** An act relating to milk and milk products.

**Brief Description:** Regulating the processing of milk and milk products.

**Sponsors:** By Senators Rasmussen, Schoesler and Shin; by request of Department of Agriculture.

### Brief History:

#### Committee Activity:

Economic Development, Agriculture & Trade: 3/22/05, 3/30/05 [DPA].

#### Floor Activity:

Passed House - Amended: 4/7/05, 96-0.

### Brief Summary of Bill (As Amended by House)

- Increases the annual license fee for milk processing plants.
- Deposits the proceeds from the license fee into the agricultural local fund instead of the State General Fund.
- Clarifies licensing requirements and fees for milk processing and food processing plants.
- Allows hand capping of milk and milk products.

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### HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE & TRADE

**Majority Report:** Do pass as amended. Signed by 21 members: Representatives Linville, Chair; Pettigrew, Vice Chair; Kristiansen, Ranking Minority Member; Blake, Buri, Chase, Clibborn, Dunn, Grant, Haler, Holmquist, Kenney, Kilmer, Kretz, McCoy, Morrell, Newhouse, Quall, Strow, P. Sullivan and Wallace.

**Staff:** Meg Van Schoorl (786-7105).

### Background:

Plants that process milk or milk products must obtain a milk processing license on an annual basis from the Department of Agriculture (Department). The current annual license fee is \$25. Licenses expire on June 30 of each year.

Plants that process food products other than milk or milk products are required to obtain a food processing license. However, licensed milk processing plants which also process non-milk products are not required to obtain food processing licenses.

Raw milk and milk products must be bottled or packaged on the farm where produced. Bottling and capping of these products must be done in a sanitary manner using equipment approved by the Department. Bottling and capping must be integral in one machine. Grade A pasteurized milk and milk products must be capped using mechanical equipment approved by the Department. Hand capping of these products is prohibited.

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**Summary of Amended Bill:**

The annual milk processing plant license fee is increased from \$25 to \$55. The proceeds from the license fee are deposited in the Agricultural Local Fund rather than the State General Fund.

A plant that processes only milk and milk products must be licensed as a milk processing plant but is exempt from obtaining a food processing license. The Director of the Department must waive the food processing license fee for a business that is also licensed as a milk processing plant.

Milk processors may cap milk and milk products by hand, and are not required to cap milk and milk products using machines or mechanical equipment. For processors of both raw milk and Grade A pasteurized milk, the capping must be done in a sanitary manner by means of approved equipment and operations.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed, except Section 1, relating to license fees, which is subject to an emergency clause and takes effect July 1, 2005.

**Testimony For:** The industry supports this bill. We would not have a problem with the revenues from the licensing fee being deposited to the Agricultural Local Fund instead of the State General Fund.

**Testimony Against:** None.

**Persons Testifying:** Leslie Emerick, Department of Agriculture.

**Persons Signed In To Testify But Not Testifying: None.**