

SENATE BILL REPORT

SB 5039

As Passed Senate, March 8, 2005

Title: An act relating to milk and milk products.

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

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

Brief History:

Committee Activity: Agriculture & Rural Economic Development: 1/18/05, 2/3/05 [DP].
Passed Senate: 3/8/05, 48-0.

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Schoesler, Ranking Minority Member; Delvin, Jacobsen and Morton.

Staff: Bob Lee (786-7404)

Background: Under the Milk and Milk Products Act, milk processors must use a mechanical capping method for bottling and capping milk and milk products. This law also requires licensing of facilities that process milk and milk products. The annual license fee is \$25.00. All but the smallest processors must also pay an assessment of 0.54 cents per hundredweight of fluid milk.

Facilities that process food are required to be licensed under The Food Processing Act. This license fee is based on the amount of gross annual sales and ranges from \$55.00 for a small scale food processor to \$825 for the largest category of food processor.

Some operators have been unable to locate and purchase mechanical capping equipment that is appropriate to their operations. Clarification is sought regarding the licensing requirements for facilities that process both milk and milk products and other food products.

Summary of Bill: The requirement that bottling and capping of milk products be done by a machine is deleted. The requirement that capping be done in a "sanitary manner by means of approved equipment and operation" is retained.

The annual license fee for a milk and milk products processing plant is increased to \$55.00. A facility that processes milk and milk products as well as food products will continue to pay \$55.00. The assessment on fluid milk is unchanged. A facility that processes only food products will continue to be subject to the existing license fee that is based on gross annual sales. A food processor that also processes milk or milk products will continue to be required to have two licenses but the fee will be waived for the food processing license.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on July 1, 2005.

Testimony For: Bill will clarify licensing requirements, allow small processors to diversify products, and address current practices that require some hand tightening of large milk caps.

Testimony Against: None.

Who Testified: Leslie Emerick, WSDA; Claudia Coles, WSDA.

Signed In/Did Not Testify: Jim Lowery, WSRDC; John Stuhlmiller, Washington Farm Bureau; Chris Cheney, Washington Dairy Federation.

House Amendment(s): The moneys received from milk processing plant licensing fees are to be deposited into the agricultural local fund (a total of \$1300 per year).

Passed House: 96-0.