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**HOUSE BILL 2049**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representative Blake

AN ACT Relating to commercial egg layer operations; and amending RCW 69.25.065 and 69.25.107.

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

**Sec.**  RCW 69.25.065 and 2011 c 306 s 3 are each amended to read as follows:

(1) All new and renewal applications submitted under RCW 69.25.050 before January 1, 2026, must include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations:

(a) With a current certification under the 2010 version of the united egg producers animal husbandry guidelines for United States egg laying flocks for conventional cage systems or cage-free systems or a subsequent version of the guidelines recognized by the department in rule; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(2) All new and renewal applications submitted under RCW 69.25.050 before January 1, 2017, must, in addition to complying with subsection (1) of this section, include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations whose housing facilities, if built between January 1, 2012, and December 31, 2016, are either:

(a) Approved under, or convertible to, the American humane association facility system plan for enriched colony housing in effect on January 1, 2011, or a subsequent version of the plan recognized by the department in rule and, in addition, are convertible to the standards identified in RCW 69.25.107; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(3) All new and renewal applications submitted under RCW 69.25.050 between January 1, 2017, and December 31, 2025, must, in addition to complying with subsection (1) of this section, include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations whose housing facilities, if built on or after January 1, 2012, are either:

(a) Approved under the American humane association facility system plan and audit protocol for enriched colony housing in effect on January 1, 2011, or a subsequent version of the plan recognized by the department in rule and, in addition, are operated to the standards identified in RCW 69.25.107; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(4) All new and renewal applications submitted under RCW 69.25.050 on or after January 1, 2026, must include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations that are either:

(a) Approved under the ((~~American humane association facility~~)) system plan and audit protocol ((~~for enriched colony housing in effect on January 1, 2011~~)) of the 2017 edition of the united egg producers' animal husbandry guidelines for United States egg laying flocks; guidelines for cage free housing, or a subsequent version of the plan recognized by the department in rule and, in addition, are operated to the standards identified in RCW 69.25.107; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(5) The following are exempt from the requirements of subsections (2) and (3) of this section:

(a) Applicants with fewer than three thousand laying chickens; and

(b) Commercial egg layer operations when producing eggs or egg products from turkeys, ducks, geese, guineas, or other species of fowl other than domestic chickens.

**Sec.**  RCW 69.25.107 and 2011 c 306 s 5 are each amended to read as follows:

(1) All commercial egg layer operations required under RCW 69.25.065 to meet the American humane association facility system plan, or an equivalent to the plan, must also ensure that all hens in the operation are provided with:

(a) No less than one hundred sixteen and three-tenths square inches of space per hen; and

(b) Access to areas for nesting, scratching, and perching.

(2) All commercial egg layer operations required under this chapter to meet the 2017 edition of the united egg producers' animal husbandry guidelines for United States egg laying flocks; guidelines for cage free housing, or an equivalent to the guidelines, must also ensure that all hens in the operation are provided with:

(a) No less than one square foot of space per hen; and

(b) Access to areas for nesting, scratching, and perching.

(3) The requirements of this section apply for any commercial egg layer operation on the same dates that RCW 69.25.065 requires compliance with the American humane association facility system plan or an equivalent to the plan, or the 2017 edition of the united egg producers' animal husbandry guidelines for United States egg laying flocks; guidelines for cage free housing or an equivalent to the guidelines.

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