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**HOUSE BILL 1102**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Representatives Walsh, Shewmake, and Dent

AN ACT Relating to establishing a state meat inspection program; adding a new chapter to Title 16 RCW; and prescribing penalties.

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

NEW SECTION. **Sec.**  The legislature finds that the novel coronavirus, or COVID-19, pandemic has had a profound impact on many aspects of life in Washington state and beyond, including in the agriculture and food processing sector. Worker illnesses at farms, orchards, and food processing plants have led to fears of interruptions in the food supply chain and higher prices for food products. Temporary closures of several meat processing facilities in Washington due to worker illnesses have caused concern about the availability and price of meat locally.

The legislature further finds that the lack of adequate federal meat inspection facilities makes it difficult for rural and small-scale livestock producers to legally sell their meat.

Therefore, it is the intent of the legislature to establish an intrastate meat inspection program in order to encourage economic investment in the state's livestock industry, promote economic development within our communities, and ensure the resiliency of the state's food supply by providing safe access to locally produced meat.

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Custom meat facility" means a facility operated by a person under this chapter licensed to prepare meat food animals and meat food birds for intrastate consumption in Washington.

(2) "Department" means the Washington state department of agriculture.

(3) "License" means an annual authorization from the department issued under this chapter that allows the holder to operate a custom meat facility.

(4) "Meat food animal" includes the following animal classifications: Bovine, porcine, ovine, or hircine.

(5) "Meat food bird" includes chickens, ducks, geese, ratites such as ostriches, emus, and rheas, and similar birds.

(6) "Official establishment" means an establishment operated for the purpose of preparing meat for human consumption in compliance with chapter 16.49 RCW.

(7) "Prepared" means smoked, salted, rendered, boned, cut, or otherwise processed.

(8) "Uninspected meat" means the carcasses or carcass parts of meat food animals or meat food birds that have been slaughtered by the owner of the animals or birds.

(9) "Washington inspected meat" means the carcasses or carcass parts of meat food animals or meat food birds that have been inspected at establishments subject to inspection under chapter 16.49 RCW.

NEW SECTION. **Sec.**  (1) The department shall make available an annual custom meat license that allows the holder to operate a custom meat facility. Custom farm slaughterers must obtain a separate license for each mobile unit.

(2) Application for a license or a license renewal must be made on a form prescribed by the department and accompanied by a $25.00 license fee. The application must include:

(a) The full name and address of the applicant, and if the applicant is a partnership or corporation, the full name and address of each partner or officer;

(b) The physical location address of each establishment or facility to be licensed;

(c) The name and address of a resident of this state authorized to accept legal notices for the applicant; and

(d) Any other information prescribed by the department.

(3) Initial issuance of a license requires a prelicense inspection by the department for compliance with this chapter and rules adopted under this chapter. A license may only be issued after an applicant is found to be in substantial compliance with this chapter and rules adopted under this chapter.

(4) Unless designated otherwise by the department, licenses issued under this chapter expire June 30th of each year.

(5) Licenses issued under this chapter are not transferrable.

(6) All license fees collected under this section must be deposited in the meat inspection account created in section 9 of this act.

NEW SECTION. **Sec.**  The department shall enforce and carry out the provisions of this chapter and may adopt rules necessary to carry out its purpose. Rules adopted under this chapter may include, but are not limited to:

(1) Requirements for construction, equipment, cleaning, sanitation, and sanitary practices related to a custom meat facility to ensure sanitary operations;

(2) Requirements for identification or tagging of meat food animals slaughtered by licensees to maintain identification of the animal;

(3) Requirements for handling and storing meats and meat products;

(4) Requirements for labeling meat and meat products; and

(5) Requirements for slaughtering and processing meat food birds by licensees.

NEW SECTION. **Sec.**  Inspected meat and meat products prepared for public sale must be kept separated from meat and meat products prepared for private individuals.

NEW SECTION. **Sec.**  (1) The department may investigate any violation or possible violation of this chapter or any rule adopted under this chapter. To assist in such an investigation, the department may issue subpoenas to compel the attendance of witnesses or to compel production of records or documents anywhere in the state.

(2) The department may also inspect the mobile unit of any custom farm slaughterer or custom meat facility at any reasonable time to determine compliance with this chapter and the rules adopted under this chapter.

NEW SECTION. **Sec.**  (1) The department may deny, suspend, or revoke any license required under this chapter if the department determines that an applicant or licensee has committed any of the following acts:

(a) Refused, neglected, or failed to comply with the provisions of this chapter, the rules adopted under this chapter, or any lawful order of the department;

(b) Refused, neglected, or failed to keep and maintain records required under this chapter, or rules adopted under this chapter, or to make the records available to the department on request; or

(c) Refused the department access to any custom meat facilities or parts of the facilities for the purpose of carrying out the provisions of this chapter or rules adopted under this chapter.

(2) A person may request a hearing under chapter 34.05 RCW upon receipt of notice by the department to deny, suspend, or revoke a license.

NEW SECTION. **Sec.**  (1) It is unlawful for any person to:

(a) Operate a custom meat facility in this state without first obtaining a license from the department under this chapter; and

(b) Interfere with the department in the performance of the department's duties under this chapter or the rules adopted under this chapter.

(2) Any person who fails to comply with this chapter or the rules adopted under this chapter may be subject to a civil penalty in an amount of not more than $1,000 per violation per day. Each violation is a separate and distinct offense.

(3) All moneys collected for civil penalties under this chapter must be deposited in the meat inspection account, created in section 9 of this act, to be used solely for the implementation of this chapter.

NEW SECTION. **Sec.**  The meat inspection account is created in the custody of the state treasurer. All receipts from sections 3 and 8 of this act must be deposited into the account. Expenditures from the account may be used only for the purposes of implementing this chapter. Only the director of the department or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. **Sec.**  (1) This chapter applies only to livestock produced in Washington and the meat food animal products and meat food bird products produced and consumed from Washington-produced livestock.

(2) Nothing in this chapter prohibits the operator of a custom meat facility from also being licensed to prepare and sell inspected meat out-of-state.

NEW SECTION. **Sec.**  Chapter 34.05 RCW governs the rights, remedies, and procedures respecting the administration of this chapter, including rule making, assessment of civil penalties, emergency actions, and license suspension, revocation, or denial.

NEW SECTION. **Sec.**  Any federal law, rule, order, or other act by the federal government violating the provisions of this chapter is hereby declared to be invalid in this state, is not recognized by and is specifically rejected by this state, and is considered as null and void and of no effect in this state.

NEW SECTION. **Sec.**  The provisions of this chapter relating to the sale of inspected meat in custom meat facilities do not supersede or restrict the authority of any county or any city to adopt ordinances that are more restrictive for the handling and sale of inspected meat than those provided in this chapter.

NEW SECTION. **Sec.**  Sections 1 through 13 of this act constitute a new chapter in Title 16 RCW.

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