

Chapter 16-29 WAC

ANIMAL DISEASE TRACEABILITY

WAC

16-29-005	Purpose.
16-29-010	Definitions.
16-29-015	Levy and collection of assessment.
16-29-017	Reporting requirements.
16-29-020	Inspection of records.
16-29-025	Penalty outline and schedule.

WAC 16-29-005 Purpose. The purpose of this chapter is to administer animal disease traceability activities by assessing a per head fee on cattle sold or slaughtered in the state or transported out of the state.

[Statutory Authority: RCW 16.36.150 and chapter 34.05 RCW. WSR 15-02-024, § 16-29-005, filed 12/30/14, effective 7/1/15.]

WAC 16-29-010 Definitions. In addition to the definitions found in RCW 16.36.005, 16.57.010, 16.58.020 and chapter 16-610 WAC the following definitions apply to this chapter:

"Custom slaughtering" means slaughtering performed by a person licensed under chapter 16.49 RCW to slaughter meat food animals for the owner of the animal.

"Entry permit" means prior written permission issued by the director to admit or import animals or animal reproductive products into Washington state.

"Immediate slaughter cattle" means out-of-state cattle processed within twenty-four hours of entry to a federally inspected slaughter facility.

"Slaughter facility" means an establishment operated for the purpose of slaughtering meat food animals for sale or use as human food in compliance with the federal Meat Inspection Act.

[Statutory Authority: RCW 16.36.150 and chapter 34.05 RCW. WSR 15-02-024, § 16-29-010, filed 12/30/14, effective 7/1/15.]

WAC 16-29-015 Levy and collection of assessment.

(1) An assessment of \$0.23 per head is levied on all cattle sold or slaughtered in the state or transported out of the state except for:

(a) An assessment of \$0.05 per head is levied on all immediate slaughter cattle.

(b) No assessment is paid on cattle slaughtered and retained by the owner for personal consumption.

(2) Collection of assessments will be collected in the same manner as the livestock inspection fees under RCW 16.57.223 and 16.65.090 except for subsection (1)(a) of this section. For immediate slaughter cattle or cattle originating from a certified feedlot, the assessments will be collected by the slaughter facility and remitted to the department by the fifteenth day of the month following the month the transaction occurred.

(3) Assessments owed from private individual sales, trades, gifting, barter, or any other action that constitutes a change of ownership of livestock per WAC 16-610-020(3), not occurring at a public livestock market or special sale

(11/18/16)

licensed under chapters 16.65 RCW and 16-610 WAC or a slaughter facility, will be collected:

(a) When a change of ownership livestock inspection is conducted or when the transaction is reported through an electronic livestock movement reporting system per chapter 16-610 WAC.

(b) When utilizing the "green tag" as provided in RCW 16.57.160(3). The assessment will be added to the purchase price of each tag.

(4) Assessments are collected at a federally inspected slaughter facility when:

(a) Cattle are sold and slaughtered concurrently. This is considered a one assessment event and one fee shall be collected per head from the seller.

(b) Cattle originate from a certified feedlot licensed under chapter 16.58 RCW. The assessments will be collected by the slaughter facility and remitted to the department by the fifteenth day of the month following the month the transaction occurred.

(c) Cattle are slaughtered and no change of ownership has occurred, the per head fee shall be collected from the owner of the animal.

(5) Collection of assessments for custom slaughtering occurs when utilizing custom slaughter beef tags per WAC 16-610-100. The assessment will be added to the purchase price of each tag.

(6) Collection of assessments at public livestock markets and special sales licensed under chapter 16.65 RCW will be considered one assessment event, charged to the seller, when:

(a) Cattle are purchased and destined to an out-of-state location by the buyer.

(b) Cattle are purchased and destined for slaughter to an in-state federally inspected slaughter facility.

(7) When Washington origin cattle are transported for sale to an out-of-state market where the director conducts inspections of Washington origin cattle by agreement with the host state, it shall be considered one assessment event and one fee shall be collected per head from the Washington seller.

(8) Collection of assessments for out-of-state movement occurs when:

(a) Cattle are purchased and destined to an out-of-state location by the buyer. This is considered a one assessment event and one fee shall be collected per head from the seller.

(b) Cattle are moving out-of-state with no change of ownership.

[Statutory Authority: RCW 16.36.150 and chapter 34.05 RCW. WSR 16-23-107, § 16-29-015, filed 11/18/16, effective 12/19/16; WSR 15-02-024, § 16-29-015, filed 12/30/14, effective 7/1/15.]

WAC 16-29-017 Reporting requirements. (1) Slaughter facilities shall furnish the department a report of all cattle slaughtered by individual consignment. The report is due by

[Ch. 16-29 WAC p. 1]

the fifteenth day of the month following the month the transaction occurred. The report must include:

- (a) Slaughter date;
- (b) Number of head slaughtered;
- (c) Type: Beef, dairy, or condemned;
- (d) Sex;
- (e) Name of owner/seller;
- (f) State of origin; and
- (g) Any other information the director deems necessary.

(2) As an alternative to the report described in subsection (1) of this section, the department will accept a completed affidavit (AGR Form 402-3093) only when the following conditions are met:

- (a) All USDA inspected cattle slaughtered during the month were inspected by either a department livestock inspector or a department certified accredited veterinarian approved to conduct livestock inspections;
- (b) No out-of-state cattle were slaughtered during the month; and
- (c) No cattle originating from a department certified feedlot were slaughtered during the month.

(3) The report or affidavit may be submitted to the department by email to adtwa@agr.wa.gov, by fax to 360-902-2087, or by mail to Washington State Department of Agriculture, Animal Disease Traceability Program, P.O. Box 42577, Olympia, Washington 98504-2577.

[Statutory Authority: RCW 16.36.150 and chapter 34.05 RCW. WSR 16-23-107, § 16-29-017, filed 11/18/16, effective 12/19/16.]

WAC 16-29-020 Inspection of records. The slaughter facility must keep accurate records for six years for all cattle entering a federally inspected slaughter facility. Records must be open for review by authorized department of agriculture personnel during normal business hours, and must be provided to the department upon the director's request.

[Statutory Authority: RCW 16.36.150 and chapter 34.05 RCW. WSR 15-02-024, § 16-29-020, filed 12/30/14, effective 7/1/15.]

WAC 16-29-025 Penalty outline and schedule. (1) If any person fails to comply with the requirements of RCW 16.36.150, the director may issue that person a notice of infraction and may assess a penalty.

(2) Each violation is a separate and distinct offense. Penalties may be assessed per violation or per head.

(3) The following is the base penalty, not including statutory assessments.

Violation	Base Penalty
RCW 16.36.150	Failing to pay the traceability fee
First offense	\$50.00
Second offense within three years	\$125.00
Third and subsequent offenses within three years	\$250.00

(4) If any person fails to comply with the reporting requirements described in WAC 16-29-017, the penalties will be assessed according to chapter 16-90 WAC.

[Statutory Authority: RCW 16.36.150 and chapter 34.05 RCW. WSR 16-23-107, § 16-29-025, filed 11/18/16, effective 12/19/16; WSR 15-02-024, § 16-29-025, filed 12/30/14, effective 7/1/15.]