



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule

(1) Date of adoption: 11-22¹¹-94 *Kap*

(2) Purpose: To integrate ratities into the custom meat processing industry for the purpose of processing meat products from these birds.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: WAC 16-23-010, 020, and 170

Suspended:

(4) Authority for adoption:

Statute: Chapter 16.49.680 RCW

Other Authority: Chapter 16-49 & 49A RCW

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR 94-20-106 on 10-5-94 (date).

Describe any changes other than editing from proposed to adopted version:

See attached copy of written summary of comments. Definition of "meat food birds" clarified.

(5.2) **EMERGENCY RULE ONLY**

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules **Emergency Rules**

31 days after filing Immediately

Other (specify) _____ * Later (specify) _____

* (If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

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TIME: 3:13

WSR: 94-20-106

NAME (TYPE OR PRINT): Jim Jesernig

SIGNATURE: *Jim Jesernig*

TITLE: Director

DATE: 11/22/94

AMENDATORY SECTION (Amending Order 1956, filed 10/27/87)

WAC 16-23-010 Definitions. For the purpose of these rules:

(1) "Carcass" means all or any parts, including viscera, of a slaughtered meat food animal.

(2) "Custom meat facility" means the facility operated by any person licensed under this chapter who may under such license engage in the business of preparing uninspected meat for the sole consumption of the owner of the uninspected meat being prepared. Operators of custom meat facilities may also prepare inspected meat for household users only. Operators of custom meat facilities may also sell prepackaged inspected meat to any person, provided the prepackaged inspected meat is not prepared in any manner by the operator and the operator does not open or alter the original package that the inspected meat was placed in.

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

(4) "Director" means the director of the department or the director's designee.

(5) "Equipment" means all machinery, fixtures, containers, vessels, tools, implements, and apparatus used in and about an establishment and vehicles used to transport meat.

(6) "Household user" means the ultimate consumer, the members of the consumer's household, and his or her nonpaying guests and employees.

(7) "Inspected meat" means the carcasses or parts thereof of meat food animals which have been slaughtered and inspected at establishments subject to inspection under chapter 16.49A RCW or a federal meat inspection act.

(8) "Meat food animal" means cattle, swine, sheep, or goats.

(9) "Meat food bird" for the purposes of processing the carcass shall mean a ratite defined as poultry in chapter 16-57 RCW weighing over one hundred pounds live weight. (Ratites defined as poultry weighing less than one hundred pounds live weight may be processed either as poultry or as a "meat food bird.")

(10) "Meat food product" means any product derived from meat food animal and intended for human consumption.

~~((10))~~ (11) "Operator" includes any owner, lessee, or manager of a custom meat facility.

~~((11))~~ (12) "Person" means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, any member, officer, or employee thereof or assignee for the benefit of creditors.

~~((12))~~ (13) "Prepared" means canned, salted, rendered, boned, cut up or otherwise manufactured, or processed.

~~((13))~~ (14) "Uninspected meat" means carcasses or parts thereof of meat food animals slaughtered or processed for human consumption other than under requirements provided in chapter 16.49A RCW or a federal meat inspection act which have been slaughtered by the owner thereof, or which have been slaughtered by a custom farm slaughterer.

~~((14))~~ (1) "Unwholesome" means a condition in which meat or meat food products may be found to be diseased, contaminated, unsound, unhealthful.

~~((15))~~ (16) "Prepackaged inspected meat" means any inspected meat or meat food product prepared from inspected meat processed or prepared by establishments subject to inspection under chapter 16.49A RCW or a federal meat inspection act and packaged and sealed in a container or wrapping bearing the seal of federal inspection.

~~((16))~~ (17) "Sanitize" means an effective bactericidal treatment process that provides enough accumulative heat or concentration of chemicals for a sufficient period of time to reduce the bacterial count, including pathogens, to a safe level.

AMENDATORY SECTION (Amending Order 1956, filed 10/27/87)

WAC 16-23-020 Maintaining sanitary premises. Establishments or premises on or in which meat food products or meat from meat food birds are prepared or handled shall be maintained in a sanitary condition. Compliance with the requirements specified in WAC 16-23-025 through 16-23-165 will be deemed necessary for minimum sanitary conditions.

AMENDATORY SECTION (Amending Order 1956, filed 10/27/87)

WAC 16-23-170 Proof of ownership of uninspected carcasses or parts of carcasses by the operator. The operator of any custom meat facility shall have in his/her possession certificates of permit as provided by chapter 16-620 WAC or other satisfactory proof of ownership of all uninspected carcasses or parts thereof received in his/her establishment, and such proof of ownership must be kept on file for a period of six months after receipt of such carcasses or parts of carcasses.

(1) All uninspected cattle carcasses or parts of carcasses shall be identified by a department approved tagging device describing the name and address of the owner, name and address of the slaughterer, if not the owner, the slaughter date and brand, if the animal was branded, while in the possession of the operator. Such identity shall conform to the requirements of chapter 16.57 RCW.

(2) All uninspected meat food animal or meat food bird carcasses or parts of carcasses other than cattle must be identified as to name and address of the owner, name and address of the slaughterer if different than the owner, and the slaughter date while in the possession of the operator.

(3) Each owner of uninspected carcasses, parts of carcasses, or meat food products delivered to a custom meat facility for preparing will be furnished by the operator a written record stating the gross weight received for preparing. A duplicate copy

of this record will be maintained by the operator at his principal place of business for a period of at least six months.

(4) Operators making sales of prepackaged inspected meat to other than household users shall maintain records of all such transactions as to buyer, type of product sold and total net weight of each exchange.