
SENATE BILL 6274

State of Washington

52nd Legislature

1992 Regular Session

By Senator Barr; by request of Department of Agriculture

Read first time 01/23/92. Referred to Committee on Agriculture & Water Resources.

1 AN ACT Relating to animal health regulation; amending RCW
2 16.36.005, 16.36.010, 16.36.020, 16.36.050, 16.36.040, 16.36.060,
3 16.36.070, 16.36.080, and 16.36.100; and prescribing penalties.

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

5 **Sec. 1.** RCW 16.36.005 and 1987 c 163 s 1 are each amended to read
6 as follows:

7 As used in this chapter:

8 "Exotic wild animals" means terrestrial wild animals that are not
9 native to Washington or have not been established in the state by
10 wildlife agencies.

11 "Director" means the director of agriculture of the state of
12 Washington or his authorized representative.

13 "Department" means the department of agriculture of the state of
14 Washington.

1 "Garbage" means the solid animal and vegetable waste and offal
2 together with the natural moisture content resulting from the handling,
3 preparation, or consumption of foods in houses, restaurants, hotels,
4 kitchens, markets, meat shops, packing houses and similar
5 establishments or any other food waste containing meat or meat
6 products.

7 "Veterinary biologic" means any virus, serum, toxin, and analogous
8 product of natural or synthetic origin, or product prepared from any
9 type of genetic engineering, such as diagnostics, antitoxins, vaccines,
10 live microorganisms, killed microorganisms, and the antigenic or
11 immunizing components intended for use in the diagnosis, treatment, or
12 prevention of diseases in animals.

13 "Domestic animal" means any animal that is a farm animal or
14 companion animal or both.

15 "Farm animal" means any domestic species of cattle, sheep, swine,
16 goats, llamas, poultry, or horses that are normally and have
17 historically been kept and raised on farms in the United States and
18 used or intended for use as food, fiber, or breeding. This term also
19 includes animals such as rabbits, mink, and chinchilla if they are used
20 solely for the purposes of meat or fur, and animals such as horses and
21 llamas if used solely as work and pack animals.

22 "Companion animal" means, but is not limited to, any animal such as
23 dogs, cats, nonhuman primates, guinea pigs, hamsters, rabbits, ferrets,
24 birds, llamas, pigs, or horses historically or recently associated with
25 humans as pets, security, disability assistance, or for breeding,
26 hunting, racing, riding, or other recreation.

27 **Sec. 2.** RCW 16.36.010 and 1927 c 165 s 2 are each amended to read
28 as follows:

1 The word "quarantine" as used in this act shall mean the placing
2 and restraining of any animal or animals by the owner or agents in
3 charge thereof, either within a certain described and designated
4 enclosure or area within this state, or the restraining of any such
5 animal or animals from entering this state, as may be directed in
6 writing by the director of agriculture, or his or her duly authorized
7 representative. Any animal or animals so quarantined within the state
8 shall at all times be kept separate and apart from other ((domestic))
9 animals and not allowed to have anything in common therewith.

10 **Sec. 3.** RCW 16.36.020 and 1987 c 163 s 2 are each amended to read
11 as follows:

12 The director shall have general supervision of the prevention of
13 the spread and the suppression of infectious, contagious, communicable
14 and dangerous diseases affecting animals within, in transit through and
15 being imported into the state. The director may establish and enforce
16 quarantine of and against any and all domestic animals, exotic wild
17 animals, or native wildlife raised in captivity which are affected with
18 any such disease or that may have been exposed to others thus affected,
19 whether within or without the state, for such length of time as he or
20 she deems necessary to determine whether any such animal is infected
21 with any such disease. The director shall also enforce and administer
22 the provisions of this chapter pertaining to garbage feeding and when
23 garbage has been fed to swine, the director may require the
24 disinfection of all facilities, including yard, transportation and
25 feeding facilities, used for keeping such swine.

26 The director shall also have the authority to regulate the sale,
27 distribution, and use of veterinary biologics in the state and may
28 adopt rules to restrict the sale, distribution, or use of any
29 veterinary biologic in any manner the director determines to be

1 necessary to protect the health and safety of the public and the
2 state's animal population.

3 **Sec. 4.** RCW 16.36.050 and 1979 c 154 s 11 are each amended to read
4 as follows:

5 It shall be unlawful for any person to intentionally falsely make,
6 complete, alter, use, or sign an animal health certificate, certificate
7 of veterinary inspection, or official written animal health instrument
8 of the department of agriculture. It shall be unlawful for any person,
9 or any railroad or transportation company, or other common carrier, to
10 bring into this state for any purpose any domestic animals, exotic wild
11 animals, or native wildlife raised in captivity without first having
12 secured an official health certificate or certificate of veterinary
13 inspection, certified by the state veterinarian of origin that such
14 animals meet the health requirements ((~~promulgated~~)) adopted by the
15 director of agriculture of the state of Washington: PROVIDED, That
16 this section shall not apply to domestic animals imported into this
17 state for immediate slaughter, or domestic animals imported for the
18 purpose of unloading for feed, rest, and water, for a period not in
19 excess of twenty-eight hours except upon prior permit therefor secured
20 from the director of agriculture. It shall be unlawful for any person
21 to divert en route for other than to an approved, inspected stockyard
22 for immediate slaughter or to sell for other than immediate slaughter
23 or to fail to slaughter within fourteen days after arrival, any animal
24 imported into this state for immediate slaughter. It shall be unlawful
25 for any person, railroad, transportation company, or other common
26 carrier, to keep any domestic animals which are unloaded for feed, rest
27 and water in other than quarantined pens, or not to report any missing
28 animals to the director of agriculture at the time the animals are
29 reloaded.

1 **Sec. 5.** RCW 16.36.040 and 1979 c 154 s 10 are each amended to read
2 as follows:

3 The director of agriculture shall have power to (~~promulgate~~)
4 adopt and enforce such reasonable rules(~~(, regulations)~~) and orders as
5 he or she may deem necessary or proper to prevent the introduction or
6 spreading of infectious, contagious, communicable, or dangerous
7 diseases affecting domestic animals, exotic wild animals, or native
8 wildlife raised in captivity in this state, and to (~~promulgate~~) adopt
9 and enforce such reasonable rules(~~(, regulations)~~) and orders as he or
10 she may deem necessary or proper governing the inspection and test of
11 all animals within or about to be imported into this state, and to
12 (~~promulgate~~) adopt and enforce intercounty embargoes and quarantine
13 to prevent the shipment, trailing, trucking, transporting, or movement
14 of bovine animals from any county that has not been declared modified
15 accredited by the United States department of agriculture, animal and
16 plant health inspection service, for tuberculosis and/or certified
17 brucellosis-free, into a county (~~(which)~~) that has been declared
18 modified accredited by the United States department of agriculture,
19 animal and plant health inspection service, for tuberculosis and/or
20 certified brucellosis-free, unless such animals are accompanied by a
21 negative certificate of tuberculin test made within sixty days and/or
22 a negative brucellosis test made within the forty-five day period prior
23 to the movement of such animal into such county, issued by a duly
24 authorized veterinary inspector of the state department of agriculture,
25 or of the United States department of agriculture, animal and plant
26 health inspection service, or an accredited veterinarian authorized by
27 permit issued by the director of agriculture to execute such
28 certificate.

1 **Sec. 6.** RCW 16.36.060 and 1985 c 415 s 2 are each amended to read
2 as follows:

3 It shall be unlawful for any person to willfully hinder, obstruct,
4 or resist the director of agriculture or any duly authorized
5 representative, or any peace officer acting under him or her or them,
6 when engaged in the performance of the duties or in the exercise of the
7 powers conferred by this chapter, and it shall be unlawful for any
8 person to willfully fail to comply with or violate any rule(~~(r~~
9 ~~regulation))~~) or order (~~(promulgated))~~) adopted by the director of
10 agriculture or his or her duly authorized representatives under the
11 provisions of this chapter. The director of agriculture shall have the
12 authority under such rules (~~(and—regulations))~~) as shall be
13 (~~(promulgated))~~) adopted by (~~(him))~~) the director to enter at any
14 reasonable time the premises of any (~~(livestock))~~) domestic animals,
15 exotic wild animals, or native wildlife raised in captivity owner to
16 make tests on any animals for diseased conditions, and it shall be
17 unlawful for any person to interfere with such tests in any manner, or
18 to violate any segregation or identification order made in connection
19 with such tests by the director of agriculture, or his or her duly
20 authorized representative.

21 **Sec. 7.** RCW 16.36.070 and 1947 c 172 s 6 are each amended to read
22 as follows:

23 Whenever a majority of any board of health, board of county
24 commissioners, city council or other governing body of any incorporated
25 city or town, or trustees of any township, whether in session or not,
26 shall, in writing or by telegraph, notify the director of agriculture
27 of the prevalence of or probable danger of infection from any of the
28 diseases of domestic animals, exotic wild animals, or native wildlife
29 raised in captivity the director of agriculture personally, or by the

1 supervisor of dairy and livestock, or by a duly appointed and deputized
2 veterinarian of the division of dairy and livestock, shall at once go
3 to the place designated in said notice and take such action as the
4 exigencies may in his or her judgment demand, and may in case of an
5 emergency appoint deputies or assistants, with equal power to act. The
6 compensation to be paid such emergency deputies and assistants, shall
7 be fixed by the director of agriculture in conformity with the
8 standards effective in the locality in which the services are
9 performed.

10 **Sec. 8.** RCW 16.36.080 and 1947 c 172 s 7 are each amended to read
11 as follows:

12 It shall be unlawful for any person registered to practice
13 veterinary medicine, surgery and dentistry in this state not to
14 immediately report in writing to the director of agriculture the
15 discovery of the existence or suspected existence among domestic
16 animals, exotic wild animals, or native wildlife raised in captivity
17 within the state of any reportable diseases as published by the
18 director of agriculture.

19 **Sec. 9.** RCW 16.36.100 and 1927 c 165 s 10 are each amended to read
20 as follows:

21 The governor and the director of agriculture shall have the power
22 to cooperate with the government of the United States in the prevention
23 and eradication of diseases of domestic animals, exotic wild animals,
24 or native wildlife raised in captivity and the governor shall have the
25 power to receive and receipt for any moneys receivable by this state
26 under the provisions of any act of congress and pay the same into the
27 hands of the state treasurer as custodian for the state to be used and
28 expended in carrying out the provisions of this act and the act or acts

1 of congress under which said moneys are paid over to the state.