
HOUSE BILL 1227

State of Washington

53rd Legislature

1993 Regular Session

By Representatives R. Johnson, Chandler and Rayburn

Read first time 01/20/93. Referred to Committee on Agriculture & Rural Development.

1 AN ACT Relating to misbranding and adulteration; and amending RCW
2 16.49A.600 and 16.74.570.

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

4 **Sec. 1.** RCW 16.49A.600 and 1971 ex.s. c 108 s 3 are each amended
5 to read as follows:

6 (1) Except as provided in subsection (2) of this section, the
7 provisions of this chapter ((including licensing and those requiring
8 inspection of the slaughter of meat food animals and the preparation of
9 carcasses or parts thereof, meat or meat food products)) shall not
10 apply to operations of the types traditionally and usually conducted by
11 a retail meat dealer at retail stores and restaurants, when conducted
12 at any retail store or restaurant or similar type establishment for
13 sale in normal retail quantities or service of such articles to
14 ultimate consumers at such establishment. Normal retail quantities or
15 service of such articles to consumers shall be as defined in
16 ((regulations)) rules adopted under the provisions of this chapter.

17 (2) The adulteration and misbranding provisions of this chapter,
18 other than the requirement of the inspection legend, shall apply to
19 operations that are exempted under this section.

1 **Sec. 2.** RCW 16.74.570 and 1969 ex.s. c 146 s 65 are each amended
2 to read as follows:

3 (1) The director shall, by ~~((regulation))~~ rule and under such
4 conditions as to sanitary standards, practices, and procedures as he or
5 she may prescribe, exempt from specific provisions of this chapter--

6 ~~(a) ((retail dealers with respect to poultry products sold directly
7 to consumers in individual retail stores, if the only processing
8 operation performed by such retail dealers is the cutting up and/or
9 packaging of poultry products on the premises where such sales to
10 consumers are made;~~

11 ~~(b))~~ for such period of time as the director determines that it
12 would be impracticable to provide inspection and the exemption will aid
13 in the effective administration of this chapter, any person engaged in
14 the processing of poultry or poultry products for intrastate commerce
15 and the poultry or poultry products processed by such person:
16 PROVIDED, That no such exemption shall continue in effect on and after
17 February 18, 1970; and

18 ~~((+e))~~ (b) persons slaughtering, processing, or otherwise handling
19 poultry or poultry products which have been or are to be processed as
20 required by recognized religious dietary laws, to the extent that the
21 director determines necessary to avoid conflict with such requirements
22 while still effectuating the purposes of this chapter.

23 (2)(a) The director shall, by ~~((regulation))~~ rule and under such
24 conditions, including sanitary standards, practices, and procedures, as
25 he or she may prescribe, exempt from specific provisions of this
26 chapter--

27 (i) the slaughtering by any person of poultry of his or her own
28 raising, and the processing by him or her and transportation of the
29 poultry products exclusively for use by him or her and members of his
30 or her household and his or her nonpaying guests and employees; and

31 (ii) the custom slaughter by any person of poultry delivered by the
32 owner thereof for such slaughter, and the processing by such
33 slaughterer and transportation of the poultry products exclusively for
34 use, in the household of such owner, by him or her and members of his
35 or her household and his or her nonpaying guests and employees:
36 PROVIDED, That the director may ~~((promulgate))~~ adopt such rules ~~((and~~
37 ~~regulations))~~ as are necessary to prevent the commingling of inspected
38 and uninspected poultry and poultry products.

1 (b) In addition to the specific exemptions provided herein, the
2 director shall, when he or she determines that the protection of
3 consumers from adulterated or misbranded poultry products will not be
4 impaired by such action, provide by ~~((regulation))~~ rule, consistent
5 with ~~((paragraph))~~ (c) of this subsection, for the exemption of the
6 operations of poultry producers not exempted under ~~((paragraph))~~ (a) of
7 this subsection, which are engaged in slaughtering and/or cutting up
8 poultry for distribution as carcasses or parts thereof, from such
9 provisions of this chapter as he or she deems appropriate, while still
10 protecting the public from adulterated or misbranded products, under
11 such conditions, including sanitary requirements, as he or she shall
12 prescribe to effectuate the purposes of this chapter.

13 (c) The provisions of this chapter shall not apply to poultry
14 producers with respect to poultry of their own raising on their own
15 farms if--

16 (i) such producers slaughter not more than two hundred fifty
17 turkeys, or not more than an equivalent number of birds of all species
18 during the calendar year for which this exemption is being determined
19 (four birds of other species being deemed the equivalent of one
20 turkey);

21 (ii) such poultry producers do not engage in buying or selling
22 poultry products other than those produced from poultry raised on their
23 own farms.

24 (3) The director shall, by rule and under such conditions as to
25 sanitary standards, practices, and procedures as he or she may
26 prescribe, exempt from specific provisions of this chapter retail
27 dealers with respect to poultry products sold directly to consumers in
28 individual retail stores, if the only processing operation performed by
29 such retail dealers is the cutting up or packaging, or both, of poultry
30 products on the premises where such sales to consumers are made.

31 (4) The adulteration and misbranding provisions of this chapter,
32 other than the requirement of the inspection legend, shall apply to
33 articles and operations which are exempted ~~((from inspection))~~ under
34 this section, except as otherwise specified under subsections (1) and
35 (2) of this section.

36 ~~((+4))~~ (5) The director may by order suspend or terminate any
37 exemption under this section with respect to any person whenever he or

1 she finds that such action will aid in effectuating the purposes of
2 this chapter.

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