

# SENATE BILL REPORT

## SB 5631

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As Passed Senate, March 4, 2011

**Title:** An act relating to miscellaneous provisions regulated by the department of agriculture.

**Brief Description:** Concerning miscellaneous provisions regulated by the department of agriculture.

**Sponsors:** Senators Swecker, Hatfield, Haugen and Shin.

**Brief History:**

**Committee Activity:** Agriculture & Rural Economic Development: 2/10/11, 2/14/11 [DP].  
Passed Senate: 3/04/11, 48-0.

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### SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

**Majority Report:** Do pass.

Signed by Senators Hatfield, Chair; Delvin, Ranking Minority Member; Becker, Haugen, Honeyford and Schoesler.

**Staff:** Bob Lee (786-7404)

**Background:** The Department of Agriculture (WSDA) administers a wide range of programs relating to consumer protection, livestock, crops, pesticide regulation, and many others. Efficient administration requires periodic updating of these laws.

**Summary of Bill:** The requirement that theaters who sell popcorn disclose at the point of sale whether the flavoring is butter or is a butter-like flavor is unchanged. The reference to a definition of butter in a section that no longer exists is replaced with its own definition of butter.

In the Commercial Feed Act, a reference is updated to the federal Food, Drug, and Cosmetic Act as to whether particular color additives are unsafe.

Three commodity commission enabling laws are updated with references to additional chapters to which production of agricultural products are subject.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

In addition to authority for the Director of Agriculture to appoint up to eight assistant directors and a deputy director, the Director may also appoint a confidential secretary for the deputy director.

Authorized uses of the Grain Inspection Revolving Account is changed. The account continues to be used for paying expenses directly incurred by the grain inspection program. Authority for the account to be used during the 1993-95 biennium for departmental administrative expenses, and for up to 5 percent for research and promotion work, including rate studies relating to wheat and wheat products is removed.

Deleted from the list of unlawful activities is for retailers or wholesalers after October 1 of any calendar year, to sell containers of apples to the public for fresh consumption that were harvested the prior year.

Reference to a repealed section of law is replaced with a reference to the current code that has to do with what happens when stray livestock are impounded.

References to animals identified by tattoos registered with WSDA are deleted.

Provisions relating to fur producers registering methods of animal ownership identification marks with WSDA are deleted.

An alternative to the use of a licensed public weigh-master is authorized for weighing hay, straw, or grain. The buyer and seller, or commission merchant may agree in writing to use a scale approved by the Director at a hay or straw processing facility to determine vehicle fare and vehicle gross weights.

Certain pesticides must be distinctly denatured as to color, taste, odor, or form, if required by rule of WSDA.

The requirements that WSDA annually publish results of official pesticide samples is repealed.

The requirement that dealers who sell gasoline with greater than 1 percent by volume of ethanol or methanol must place a label on the dispensing device is repealed.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The department supports the bill and is happy to answer any questions.

**Persons Testifying:** PRO: Jaclyn Ford, Department of Agriculture.