

CERTIFICATION OF ENROLLMENT

SENATE BILL 6398

Chapter 20, Laws of 2016

64th Legislature
Veto Override 2016 1st Special Session

CULTURAL FOODS--TIME-TEMPERATURE SAFETY STANDARDS

EFFECTIVE DATE: 6/28/2016

Passed by the Senate February 10, 2016
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Passed by the House March 1, 2016
Yeas 96 Nays 1

FRANK CHOPP

Speaker of the House of Representatives

Vetoed March 10, 2016 10:23 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6398** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

March 30, 2016

**Secretary of State
State of Washington**

SENATE BILL 6398

Passed Legislature - Veto Override 2016 1st Special Session

State of Washington

64th Legislature

2016 Regular Session

By Senators Hasegawa and Chase

Read first time 01/19/16. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to cultural foods; amending RCW 43.20.145; and
2 creating a new section.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that Asian rice-
5 based noodles and Korean rice cakes are cultural foods that possess
6 different time-temperature safety standards from other foods sold for
7 human consumption. The legislature finds that Asian rice-based
8 noodles kept at room temperature are safe for consumption within four
9 hours of the time that the product first comes out of hot holding at
10 temperatures at or above one hundred thirty-five degrees, or when the
11 product has a pH of 4.6 or below, a water activity of 0.85 or below,
12 or has been determined by the department to not be a potentially
13 hazardous food based on formulation and supporting laboratory
14 documentation submitted to the department of health by the
15 manufacturer. Further, the legislature finds that Korean rice cakes
16 are safe for consumption within one day of manufacture.

17 (2)(a) This act is intended to direct the state board of health
18 to consider new standards for time-temperature requirements of Asian
19 rice-based noodles and Korean rice cakes intended for human
20 consumption. Further, this act is intended to direct the state board
21 of health to consider laws enacted by other states regarding

1 standards for time-temperature and manufacturer package labeling
2 requirements of Asian rice-based noodles and Korean rice cakes.

3 (b) The legislature does not intend to create a private right of
4 action or claim on the part of any individual, entity, or agency
5 against the state board of health, any contractor of the state board
6 of health, or the department of health.

7 **Sec. 2.** RCW 43.20.145 and 2003 c 65 s 2 are each amended to read
8 as follows:

9 (1) The state board shall consider the most recent version of the
10 United States food and drug administration's food code for the
11 purpose of adopting rules for food service.

12 (2)(a) In considering the adoption of rules for food service, the
13 state board shall consider scientific data regarding time-temperature
14 safety standards for Asian rice-based noodles and Korean rice cakes.

15 (b) For the purposes of this subsection (2):

16 (i) "Asian rice-based noodles" means a rice-based pasta that
17 contains rice powder, water, wheat starch, vegetable cooking oil, and
18 optional ingredients to modify the pH or water activity, or to
19 provide a preservative effect. The ingredients do not include
20 products derived from animals. The rice-based pasta is prepared by
21 using a traditional method that includes cooking by steaming at not
22 less than one hundred thirty degrees Fahrenheit, for not less than
23 four minutes.

24 (ii) "Korean rice cake" means a confection that contains rice
25 powder, salt, sugar, various edible seeds, oil, dried beans, nuts,
26 dried fruits, and dried pumpkin. The ingredients do not include
27 products derived from animals. The confection is prepared by using a
28 traditional method that includes cooking by steaming at not less than
29 two hundred seventy-five degrees Fahrenheit, for not less than five
30 minutes, nor more than fifteen minutes.

Passed by the Senate February 10, 2016.

Passed by the House March 1, 2016.

Vetoed by the Governor March 10, 2016.

Filed in Office of Secretary of State March 30, 2016.

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