

## CHAPTER 75.

[H. B. 269.]

## TRANSPORTATION AND SLAUGHTERING OF LIVESTOCK.

AN ACT relating to the sale, transportation, handling and slaughtering of livestock; providing for licensing and bonding persons butchering and slaughtering animals; providing for the exemption of certain persons butchering and slaughtering animals; providing for the keeping of records of animals purchased and slaughtered; providing for certificates for the movement of live animals and dressed carcasses thereof; making an appropriation; providing for the revocation of licenses and providing penalties for violations.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. For the purposes of this act, and unless otherwise required by the context:

1. The term "Certificate of Permit" shall mean a declaration executed by a person in possession of live stock on a form prescribed and furnished by the director of agriculture, showing the true ownership thereof and such other information as is hereinafter provided for or which the director of agriculture may require;

"Certificate of permit."

2. The term "person" shall include firm, corporation, association, or partnership.

"Person."

SEC. 2. Any public stock yard, commission house or brokerage firm carrying on the business of purchasing, selling, transporting or dealing in live stock shall keep a record, on forms furnished by the director of agriculture, of the kinds, number, color and brands or tattoo marks of all live stock bought, sold, handled or transported by it; the same to be made in triplicate, the original to be mailed to the director of agriculture of the State of Washington at Olympia, one copy to accompany the animal or animals to their destination and one copy to be kept by the person, firm or corporation handling the

Record of transactions.

transaction. Such records of transactions are to be kept by the person, firm or corporation handling the transaction for a period of six (6) months next following the date of their issue, during which time they shall be open for inspection by the director of agriculture, any authorized deputy of the department of agriculture, any peace officer of any city or county or any member of the state police force.

SEC. 3. Any person, firm or corporation purchasing animals in any manner other than as provided in section 2, shall be required to keep the same record on similar forms and in the same manner and subject to the same inspections and examinations as provided in section 2 for such operations in public stock yards.

Certificate  
of permit.

SEC. 4. Any person, firm or corporation, public carrier or contract hauler transporting live stock on the public highways of the State of Washington must at all times have in his or their possession a copy of an original certificate of permit to remove such animals, giving name and address of consignor, number, kinds, color and brands and tattoo marks of animals and to whom consigned. The failure to have certificates of permit to remove or transport such animals shall be considered *prima facie* evidence that they are being moved on the highways of the state illegally and any peace officer shall arrest and detain such violators. Any railroad company, steamship company or ferry boat operating within the state, or carrying in [on] interstate or foreign commerce, before accepting consignments of live stock for shipment shall require that the consignor of any and all shipments of live stock present a certificate of permit giving the name and address of consignor, name and address of consignee, number, kinds, color and brands or tattoo marks of such animals, and a copy of said certificate of permit shall be attached to the waybill and accompany such ship-

ment of live stock to destination. The original shall be mailed to the director of agriculture, Olympia, and the triplicate copy filed in the local office of the railroad, steamship or ferry boat company receiving the shipment and held for six (6) months, as provided in section 2 of this act.

SEC. 5. Any person, firm or corporation operating a permanent slaughtering establishment within the State of Washington shall keep a record, in triplicate, on forms to be furnished by the director of agriculture, of all animals purchased for slaughter; the original to be mailed to the director of agriculture, Olympia, one copy to be retained by the person or persons operating such slaughtering establishments, and the seller or consignor to receive the triplicate copy. The consignor or seller and the person or persons operating such slaughtering establishment shall retain such record for six (6) months, the same to be subject to examination as provided in section 2. When animals are received by any carrier from any public stock yard where such animals have previously been inspected, no new inspection will be required as a prerequisite to their transportation, but a certificate of permit shall be issued as in other cases of transportation of animals. All persons, firms or corporations operating permanent slaughtering establishments shall execute a bond in the penal sum of one thousand dollars (\$1,000.00), payable to the State of Washington, to guarantee that they will faithfully carry out the provisions of this act.

Permanent  
establish-  
ment,  
records kept.

Bond  
required.

SEC. 6. Any person, firm or corporation engaged in the slaughtering of animals not coming within the definition of section 5, and not operating from a recognized permanent location from which such business is carried on shall not offer for sale dressed carcasses of meat food animals unless such carcasses are accompanied by the hides thereof with

Require-  
ments when  
location not  
permanent.

tails and ears attached and must exhibit the brands and tattoo marks, if any, at the time such animals are presented or offered for sale, and shall execute a certificate of permit stating that he is the rightful owner or agent thereof, entitled to the possession of such carcasses, and copies of certificates of permit shall be handled in the manner prescribed in section 2. The above shall not apply to farmers slaughtering animals for their own consumption, but if such farmer offers carcasses for sale to retail establishments, or from peddler conveyances, a certificate of permit must be executed stating that he is the rightful owner or agent thereof, entitled to possession of such carcasses, and copies of certificates of permit shall be handled in the manner prescribed in section 2.

Annual  
license.

SEC. 7. Any person, firm or corporation described in section 6 and not a farmer, and any person, firm or corporation buying and dealing in live stock who does not operate within a public stock yard shall be required to secure from the director of agriculture an annual license to operate as a slaughterer or dealer in live stock and pay an annual license fee of two dollars (\$2.00) therefor. Such license shall expire on the 30th day of June next subsequent to the date of issue, and may be sooner revoked by the director of agriculture, upon reasonable notice to the licensee, for violation of the provisions of this act and any rules and regulations issued and promulgated by the director of agriculture under the provisions of this act. Such licensee shall have the right to demand a hearing before such revocation is made permanent. Such licensee shall be required to faithfully fulfill the requirements of this act and those of chapter 156 of the Session Laws of 1935.

Fee.

Expiration.

Revocation.

Exemptions.

SEC. 8. Hogs, sheep, poultry, rabbits or goats, or carcasses thereof, shall be exempt from the requirements and provisions of this act.

SEC. 9. The certificates of permit called for in this act shall, in addition to other information, contain substantially the following: Name and address of the consignee, name and address of the consignor, place of origin and destination, license number of the vehicle if conveyed in an automotive vehicle, name of truck driver, kind of live stock, number of live stock, color, brands or tattoo marks, signature of owner or seller, and date issued.

Contents of  
certificates  
of permit.

SEC. 10. Whenever the members of a *bona fide* county live stock association, by a majority vote, shall petition the director of agriculture to appoint live stock or brand inspectors to inspect all shipments or movements of live stock to points without the county of residence of such owners, it shall be the duty of the director to appoint a sufficient number of inspectors upon recommendation of the county livestock association to make the necessary inspections of stock being so moved. Inspectors so appointed shall be deputies of the department of agriculture and shall have the power to arrest any violators of this act or of chapter 156 of the Laws of 1935. Compensation for the services of above inspectors shall be paid by the owners of the live stock inspected and shall not exceed ten cents per head. Such inspectors shall issue certificates of inspection to cover all animals of which the applicant is the rightful owner, and the owners of any animals other than those to which the applicant is entitled, as shown by brand or tattoo marks, shall be immediately notified thereof on forms furnished for that purpose. Inspectors so appointed shall be vested with full authority to enforce all the provisions of this act, and of chapter 156 of the Laws of 1935. The director of agriculture may appoint brand inspectors at any public stock yard in the State of Washington if he deems it necessary for the enforcement of this act. For the purposes of this act a public stock yard

Inspectors,  
petition for.

Powers.

Compensation.

Brand  
inspectors.

Public  
stock yard.

shall be defined as any stock yard operating under the "Federal Packers and Stockyards Act."

Hide dealers.

SEC. 11. Any person, firm or corporation dealing in or purchasing hides from a slaughtering establishment other than as described in section 5 of this act, shall keep a record of description of such hides, giving color, weight, brand and tattoo marks, if any thereon, date of purchase, from whom purchased, with residence and mailing address, and such hides shall be tagged or marked in a manner to be prescribed by the director of agriculture.

Inspection  
waived,  
when.

SEC. 12. No person, firm or corporation shall be required to have his or her live stock inspected, nor be required to execute the certificates of permit called for in this act when the transportation or movement from one point to another within the state is entirely upon lands exclusively within the control of the party transporting such live stock, or when such live stock are being moved for temporary grazing or feeding purposes. In the event the owner or his agent is requested by any peace officer or deputy appointed by the director of agriculture to furnish evidence that he is the legal owner of the live stock being so moved, it shall be his duty to assist the officer or deputy to establish the identity and rightful ownership of such stock being so moved or transported, and it shall be a violation of this act to refuse assistance or to interfere with such officer or deputy in the inspection thereof.

Cooperation  
with officers.

Inspectors  
guilty of  
gross mis-  
demeanor,  
when.

SEC. 13. Any inspector employed under this act, who shall knowingly make any false certificate, or who shall knowingly swear falsely as to the truth of any report made by him to the director of agriculture, or who shall accept any bribe or compensation for the performance or failure to perform any of the duties prescribed by law, except such compensation as may be paid him for the duties performed under the direction of the director of agriculture, shall be guilty of a gross misdemeanor.

SEC. 14. The director of agriculture shall appoint such clerical and other employees as may be deemed necessary for the purpose of the administration of this act.

Director to appoint employees.

SEC. 15. Any person or persons found guilty of violating any of the provisions of this act shall be punished as prescribed by law for such offense and any person or persons who shall fail to perform any of the mandatory duties required by this act shall be guilty of a misdemeanor.

Penalty for failure to perform mandatory duties.

SEC. 16. The director of agriculture is hereby authorized to make and promulgate rules and regulations for the enforcement of this act but no such rules and regulations shall be inconsistent with the provisions herein prescribed.

Rules and regulations.

SEC. 17. There is hereby appropriated from the general fund, out of monies not otherwise appropriated, the sum of six thousand dollars (\$6,000.00) or so much thereof as shall be necessary for the administration of this act and of chapter 156 of the Laws of 1935, but the cost of such administration shall in no case exceed the amounts already collected and unappropriated from the fees collected under the provisions of chapter 156 of the Laws of 1935, and the fees which may be hereafter collected under the provisions of chapter 156 of the Laws of 1935, and of this act, as herein prescribed.

Appropriation.

Restriction.

SEC. 18. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole, nor any section, sentence, phrase, or word thereof, not adjudged invalid or unconstitutional.

Partial invalidity.

Passed the House March 8, 1937.

Passed the Senate March 8, 1937.

Approved by the Governor March 13, 1937.