

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-29-82

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

— ● —

ENROLLED

HOUSE BILL No. 1481

(By Mr. Ballou)

— ● —

Passed March 12, 1982

In Effect ninety days from Passage



ENROLLED

H. B. 1481

(By MR. BALLOUZ)

[Passed March 12, 1982; in effect ninety days from passage.]

AN ACT to amend chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article two-e, relating to the humane slaughter of livestock; definitions; commissioner to enforce article; rules and regulations; methods of humane slaughter; penalties; and severability.

Be it enacted by the Legislature of West Virginia:

That chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article two-e, to read as follows:

ARTICLE 2E. HUMANE SLAUGHTER OF LIVESTOCK.

§19-2E-1. Title.

1 This article shall be known by the short title of "The
2 Humane Slaughter Act of 1982."

§19-2E-2. Declaration of purpose.

1 The purpose of this article is to restrict the methods used
2 to slaughter cattle, sheep, swine and goats in commercial
3 slaughtering establishments in West Virginia to those ap-
4 proved as humane techniques.

§19-2E-3. Definitions.

1 As used in this article:

2 (a) "Commercial slaughtering establishments" means a
3 person engaged for profit in this state in the business of
4 slaughtering or dressing animals for human consumption
5 which are to be sold or offered for sale through a commercial
6 outlet or establishment;

7 (b) "Commissioner" means the commissioner of agri-
8 culture of the state of West Virginia and his duly authorized
9 representatives;

10 (c) "License" means any person licensed under the pro-
11 visions of article two-b, chapter nineteen of the code of
12 West Virginia;

13 (d) "Person" means any individual, partnership, corpor-
14 ation, association, fiduciary or other group of persons
15 whether organized or not;

16 (e) "Livestock" means cattle, swine, sheep or goats.

**§19-2E-4. Commissioner to enforce article; rules and regulations;
effective date.**

1 The commissioner shall administer and enforce the pro-
2 visions of this article and shall have authority to issue regu-
3 lations, after a public hearing, following due notice to all
4 interested persons in conformance with the provisions of the
5 state administrative procedures as set forth in chapter twenty-
6 nine-a of this code, to carry out the provisions of the article.
7 Commercial slaughtering facilities shall be in compliance with
8 the provisions of this article within six months after the
9 effective date of the article.

§19-2E-5. Methods of humane slaughter.

1 (a) Livestock, before being shackled, hoisted, thrown, cast
2 or cut must be rendered insensible to pain by a single
3 blow, gunshot or by electrical, chemical or other means that
4 is safe, rapid and effective; or

5 (b) By slaughtering in accordance with the ritual require-
6 ments of the Jewish faith or any other religious faith that
7 prescribes a method of slaughter by the simultaneous and
8 instantaneous severance of the carotid arteries with a sharp

9 instrument as well as handling techniques in connection with
10 such slaughtering; or

11 (c) By slaughtering in accordance with any method of
12 humane slaughter approved by the United States department
13 of agriculture.

§19-2E-6. Penalties.

1 Any person violating any provision of this article or
2 regulations adopted hereunder shall be guilty of a misde-
3 meanor, and, upon conviction thereof, shall be fined not
4 less than one hundred dollars nor more than five hundred
5 dollars, and for the second offense, shall be guilty of a mis-
6 demeanor, and, upon conviction thereof, shall be fined not
7 less than five hundred dollars nor more than one thousand
8 dollars and shall have the license to do business as a slaughter-
9 ing establishment, under article two-b, chapter nineteen of
10 the code of West Virginia, suspended until the facility is in
11 compliance with the provisions of this article.

§19-2E-7. Severability.

1 If any provision of this article or the application there-
2 of to any person or circumstance is held invalid, such
3 invalidity shall not affect other provisions or applications of
4 the article which can be given effect without the invalid
5 provision or application, and to this end the provisions of
6 the article are declared to be severable.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

R. P. Bayler
Chairman Senate Committee

Joseph E. Whitlow
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Todd C. Wilho
Clerk of the Senate

VA Blankenship
Clerk of the House of Delegates

Warren R. McInaw
President of the Senate

Walter H. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *29*
day of *March*, 1982.

John R. Relyea
Governor

RECEIVED

MAR 25 3 36 PM '82

OFFICE OF THE GOVERNOR

RECEIVED

82 MAR 30 P 3: 52

OFFICE
SECY. OF STATE